



What kind of State? What kind of equality?

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The report includes the progress achieved by the Gender Equality Observatory for Latin America and the Caribbean and gives an account of the work carried out during its first two years of operation, with an emphasis on women's economic autonomy.

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Foreword

The eleventh session of the Regional Conference on Women in Latin America and the Caribbean was held in 2010, a symbolic year for the participation of women at the highest levels of decision-making. This year, three women in the region have been elected to shape the destiny of their countries: Laura Chinchilla in Costa Rica, Kamla Persad-Bissessar in Trinidad and Tobago and Dilma Rousseff in Brazil. In the last five years, six women have been elected heads of State or government. When Rousseff, the last of those elected, takes office, 42% of the population of Latin America will be governed by women.

Against this backdrop, the Economic Commission for Latin America and the Caribbean presented *What kind of State? What kind of equality?* at the eleventh session of the Regional Conference on Women in Latin America and the Caribbean, held from 13 to 16 July 2010 in Brasilia. The question as to the role of the State is being asked at a time when a path towards gender equality is in sight. However, at the same time, Governments in the region have yet to address the many obstacles to equality in order to continue moving towards that path and, as a result of the recent crisis, the capacity of States to overcome gender equality in all its forms is under debate.¹ This document is in keeping with *Time for equality: closing gaps, opening trails*, which places equality at the heart of the development paradigm for the countries of the region

and which was presented to the Governments of the region by ECLAC (2010a) at its thirty-third session (the most important intergovernmental authority for guiding the work of the Commission).

What kind of State? What kind of equality? takes a detailed look at women's work, which goes hand in hand with several issues that influence and govern their lives. First, it is important to highlight that there are two sides to women's work: paid work and unpaid work, especially domestic and care work. For women to be on an equal footing with men with regard to paid work in society, a way to lighten the unpaid workload that women shoulder has to be found. In order to achieve equality, women also need to participate fully in the political life of their countries, indeed, at all levels of decision-making, and to lead lives free from violence where their bodies are respected and they can decide freely on matters of reproduction.

The three dimensions —economic autonomy, autonomy in decision-making and physical autonomy —put forward by the Gender Equality Observatory for

¹ The main progress made in terms of gender equality since the Quito Consensus includes the increased importance of gender issues in the public agenda, recognition of the importance of eliminating gender-based violence and the creation of the Gender Equality Observatory for Latin America and the Caribbean in accordance with the request of the member countries of ECLAC under the third point of the Quito Consensus.

Latin America and the Caribbean² feature throughout this document in the analysis of the State's role in development based on equality. The document focuses on how these three areas should be addressed to achieve gender equality in terms of workload.

The foremost proposal to emerge from this analysis is the forging of a new social and fiscal covenant for the redistribution of total work between men and women, including the adoption of all the necessary measures by the State, whether legislative, institutional, educational, health-related, fiscal or relating to women's participation in decision-making, in order to remove gender biases from the labour market and eliminate the wage gap, segmentation and discrimination. In order that men and women might share rights and responsibilities in public and private life, the State, the market and families must take on new care roles, which shall involve joint responsibility for men and women, the implementation of new types of services and new ways of organizing daily life and public and private agencies, which must be guided by public policy.

Public policies on gender, which by definition require democratic States with the capacity to steer action, have run against the grain of macroeconomic policies which in the past two decades have tended to reduce the role of the State and deregulate financial and labour markets and have treated social policies as a means of offsetting the exclusionary dynamics arising from the practical application of that paradigm. As a result, although women's rights are recognized in law, the institutional structure the State needs to enforce them is weakened and the objectives of equality are often subordinated to the objectives of growth.

The question as to the kind of State and the kind of equality that gender equality entails is answered by proposing new ways to articulate the State, the market and the family, ways that favour democratic forms and contents within the institutions they form in order to attain real equality between male and female citizens. The spirit of the document may thus be summed up as the idea of equality in the country and at home.

Noteworthy for its large scale and structural impact is the steady increase in female participation in economic activity, which in 2008 averaged 52% in urban areas in the region. The road has been long and complicated, with discrimination and other obstacles along the way, including the excessive workload shouldered by women. While the number of hours that both sexes spend on unpaid domestic work and on paid work can vary widely from one country to another, the following is true in all cases: women's total work time is greater than that of

men, and women spend a larger share of their time on unpaid work than men.³

The reports on compliance with the Quito Consensus (2007) submitted by countries to ECLAC provide an account of the progress made towards parity and the recognition of unpaid work. Some countries have recognized unpaid work, including at the constitutional level, and have promoted its inclusion in the national accounts. Colombia, Ecuador, Mexico, Peru and the Plurinational State of Bolivia recognize unpaid work to varying degrees in accordance with agrees xiv of the Quito Consensus.

Women's entry into the labour market has occurred against the backdrop of demographic changes (lower birth rates, population ageing), insufficient State-provided care services for children, older persons and sick persons, the high cost of market-based care services and more limited availability of social and family care networks.

Rural areas, where much less progress has been made, present a major challenge for development policies and the State. The percentage of women with absolutely no income of their own was 32% in 2008, while only 10% of men are in this situation.

A second challenge involves improving the conditions of women who are engaged in paid work, but in precarious conditions, with horizontal and vertical segmentation, with a marked wage gap, in flexible and informal occupations, such as part-time jobs (28% of employed women work part time, compared with 16% of employed men) or jobs that enable them to work from home, in which they are usually subjected to subcontracting chains, and without social protection. Because of the lack of job opportunities, hence of income, they cannot afford the care services that might enable them to reconcile work and family life, which makes their situation very complex.

In the area of human rights, progress has been made in adopting egalitarian constitutional and legal frameworks. Some countries have moved forward with a new generation of laws on gender violence and other legislation geared to guarantee the human rights of women. However, with some exceptions, legislation on sexual and reproductive rights is still controversial and encounters resistance from sectors that have significant influence in public decision-making.

Violence against women persists, maternal mortality remains high in several countries⁴ and adolescent girls still face pregnancies that are, as a rule, unwanted. As a result, while fertility rates continue to fall in the region, adolescent motherhood is steady or increasing

² The Gender Equality Observatory for Latin America and the Caribbean was set up by ECLAC at the request of the member States under the Quito Consensus (2007) adopted by the Regional Conference on Women in Latin America and the Caribbean. The Observatory's website can be found at: <http://www.eclac.org/oig/>.

³ See the Gender Equality Observatory for Latin America and the Caribbean [online] <http://www.eclac.org/oig/>.

⁴ Target 5A of Millennium Development Goal 5 is to reduce by three quarters, between 1990 and 2015, the maternal mortality ratio. By 2005, it had decreased by only about 25%.

in several countries. In many cases these problems could be avoided by using existing technology and know-how and by providing low-cost preventive services. These limitations have an unquestionable impact on women's physical autonomy and political and economic participation, and they are amplified by the lack of income.

One major achievement has been the process of building and strengthening machineries for the advancement of women in all of the region's countries. Along with the women's movement and other national and international actors, these machineries have played a key role in the progress discussed herein, and they will

continue to do so as they address the challenges that remain. In Brazil, the change in status of the Secretariat on Policies for Women, which became an essential body under the Office of the President of the Republic, is particularly worthy of note.

Looking to the future, the State must have an active role in building the new equality agenda, which is the basis of the development paradigm that is being put forward. The State must make it possible for women to use their voice and vote in guiding their countries and enforce the legal framework in place in order to ensure the effective enjoyment of rights by all citizens, male and female.

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Introduction

The unequal status of women is a special case among all the different types of social discrimination. Indeed, unlike other cases, women are not a social class, or a specific group; they are not a community, or a social or racial minority; they cut across all groups and peoples; and in all they are an inseparable half. To end the conditions that have permitted women's social and political inequality would be, after the liberation of the slaves, the greatest revolution of emancipation (Villorio, 1997).

The document *What kind of State? What kind of equality?* analyses the progress of gender equality in the region 15 years after the approval of the Beijing Platform for Action, 10 years after the drafting of the Millennium Development Goals and 3 years after the adoption of the Quito Consensus at the tenth session of the Regional Conference on Women in Latin America and the Caribbean, held in 2007. It also examines the achievements made and challenges faced by governments in light of the interaction between the State, the market and families as social institutions built on the foundation of policies, laws, and customs and habits which, together, establish the conditions for renewing or perpetuating gender and social hierarchies.¹

Although the study focuses on Latin America and the Caribbean, some of the indicators are compared with those of Portugal and Spain, which are members of the Gender Equality Observatory for Latin America and the

Caribbean and participate in the Regional Conference on Women in Latin America and the Caribbean as member States of ECLAC. Particular mention is also made of certain policies on gender parity and reconciliation of caregiving and productive work, in order to draw comparisons with equality processes under way at the global level and bring attention to the region's increasing dialogue with other countries in this area.

The State's role in promoting social equality is the crux of the debate, as affirmed in the document *Time for equality: closing gaps, opening trails* (ECLAC 2010a). This is a key concept in a development agenda shared by various social actors: it assumes that women will be incorporated into the labour market under the same conditions as men, that their rights as citizens will be recognized, that they will participate fully in decision-making at all levels of society, that their physical integrity will be respected and that they will have control over their own bodies.

¹ The Fourth World Conference on Women was held in Beijing in 1995, and the Platform for Action adopted on that occasion is the subject of a 15-year review entitled *Review of the implementation*

of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session of the General Assembly (2000) in Latin American and Caribbean countries (ECLAC, 2009c).

The incorporation of women into the labour market under the same conditions as men presupposes an analysis of their social and symbolic role in society and a strategic change therein. This will entail redistributing the unpaid workload associated with the reproduction and sustenance of human life as well as dismantling the power system that subjugates women both in private (thereby guaranteeing them the right to a life free from violence and the right to free choice in matters of, and conditions relating to, reproduction) and in public (through their equitable representation at all levels of decision-making in society).

Progress in gender equality is directly related to advances in women's economic autonomy, such as control over material goods and intellectual resources and the ability to make decisions regarding family assets and income. It is also closely linked with physical autonomy as an essential requirement for overcoming the barriers to the exercise of sexuality, to women's physical integrity and to free choice in matters of reproduction, as well as with parity in decision-making.

The second section of the document depicts the situation in Latin America and the Caribbean and the progress made by countries in policies, plans and programmes relating to the assessment of the application of the Beijing Platform for Action and, more specifically, the comparative indicators for the countries of the region regarding physical and economic autonomy and decision-making as seen in the Gender Equality Observatory for Latin America and the Caribbean of ECLAC.

On this occasion, the analysis of the comparative indicators serves as a progress report of the Gender Equality Observatory for Latin America and the Caribbean, a tool that draws attention to the achievements and challenges in the region in the last decade and reveals substantive progress in the development of indicators and statistical-production systems to measure inequality between men and women.¹ The Observatory was established in response to one of the mandates of the Quito Consensus (2007) and has made it possible to have new national and regional data on women's economic autonomy, physical autonomy and decision-making autonomy.² This inter-agency effort is coordinated by ECLAC and supported by the substantive and financial contributions of the United Nations International Research and Training Institute for the Advancement of Women (INSTRAW), United Nations Development Fund for Women (UNIFEM), United

Nations Population Fund (UNFPA), Pan American Health Organization (PAHO), United Nations Development Programme (UNDP), Spanish International Cooperation Agency for Development (AECID) and Ibero-American Secretariat (SEGIB).

The third section of the document addresses paid work and the impact of unpaid work on women in formal and informal employment, the connection between unpaid work and macroeconomic policies and the role of the State in promoting equality and of public policies in the redistribution of unpaid work. These policies are understood to influence production regulation and wages as well as well-being through social welfare and protection measures.

The economic implications of unpaid work and households' focus on social reproduction provide a key to understanding the relationships between production and the redistribution of wealth. Hence, the analysis attempts to draw attention to the different dimensions of household work, not only as a political demand but also as an invitation to debate on rules for redistribution, modes of production and the type of relationship between production and social reproduction.

The document also highlights the importance of States' being responsible overall for the respect, protection and fulfilment of human rights by interlinking social, political, economic and cultural rights and coordinating the executive, legislative and judicial branches in order to design and implement universal public policies based on the assumption that labour policies are indissolubly linked to the policies and mechanisms needed to transform social production into a collective undertaking.

It also emphasizes the need to gear policies towards reconciling work and family life, and proposes that States and society overall strengthen initiatives for women to overcome obstacles to greater mobility and better career prospects without discrimination, and thus gain access to full citizenship.

In sum, the document stresses the progress made in women's economic and social rights and in their key political role, while at the same time offering data that suggest that new inequalities persist or have emerged. Far from suggesting that there have been linear advances in the region, these data trace a complex map that denotes overlapping inequalities in women's economic, political and social development. And this map underscores the vicissitudes, the impasses and the resistance to change.

¹ See [online] <http://www.cepal.cl/oig>.

² At the tenth session of the Regional Conference on Women in Latin America and the Caribbean, held in Quito in 2007, the ECLAC member States requested the creation of a gender equality observatory.

The diagnosis and analysis set forth in this study take into account the structural heterogeneity of the economies, the cultural diversity of its people and specific territorial features, since these can sometimes cause certain factors—population and territory size, the impact of natural disasters on the economy, the availability of natural resources and the type of institutional development—to have differentiated effects on the status of women in each country, warranting further analysis from the national or subregional perspective.

Last, the section that calls for an agenda on gender equality policies refers to short- and medium-term policies centred on the redistribution of paid and unpaid and care work and highlights the importance of including women's voices through their democratic presence in the decision-making sphere as well as the importance of recognizing the women's movement, women entrepreneurs and businesswomen in dialogue and governance forums and in social and trade union organizations.

Chapter I

Equality and development

Globalization and the rapid feminization of the region's labour force have gone hand in hand with deregulation and increasing flexibility in the labour market, and have been accompanied by a worsening of general working conditions. Public policies on gender, which by definition require democratic States, have made little progress against the grain of deregulation, and are therefore only relatively effective. Thus, although countries' development strategies do provide opportunities, experiences are often patchy and contradictory. In this context, the organization of social reproduction has remained isolated from public policy. Despite the attention that the State has given to women's demands, the lack of comprehensive policies has prevented the State from achieving full participation and economic autonomy for women.

ECLAC (2010a) has placed equality at the heart of its agenda, understanding it in the sense of entitlement to rights. ECLAC reaffirms the role of the State in achieving minimum standards of well-being for the entire population, and argues that equality does not take away impetus or resources from economic buoyancy.¹ On the contrary, equality is the key to a development agenda that is shared by various stakeholders. ECLAC indicates the well-known weakness of the region's countries in terms of ensuring the fulfilment of rights, whereby entitlement

is often established by law but is not always reflected in access to opportunities, resources and social recognition.² Considering the value of equality and its relationship with growth, the development paradigm must be rethought to take account of a more compassionate connection between all individuals, male and female. Well-being thus becomes an irreducible element, linking democratic life and social justice, with equality at the very heart of and intrinsic to development. What is being put forward, therefore, is a key role for equality in development (ECLAC, 2010a).

Social movements that lobby for an equality agenda have found a major source of inspiration and support in international processes such as those relating to El Cairo, Beijing and the Convention on the Elimination of All Forms of Discrimination against Women. This is particularly true in the case of the feminist and women's movement, which has encountered sectors that are resistant to the cultural and political change inherent in these ideas.

What is being put forward is equality not only in terms of opportunities, but also in relation to the actual exercise of rights. It is important to consider the aspects of social and economic redistribution that must be resolved if equality is to be achieved along with the political and symbolic recognition of the identities and rights denied or obscured by cultural obstacles (Fraser, 1997).

¹ In *Time for equality: closing gaps, opening trails*, ECLAC (2010a) analyses in detail the vital role of the State and social policies in providing the equality agenda with its social protection and advancement pillars. It also shows the dynamic of social inequalities in key areas such as household incomes, education, social security and urban segregation. It emphasizes that progress has been made with social spending, which reveals the willingness of governments to give more of a leading role to the State in providing public goods, but also that this spending continues to show shortcomings and a limited redistributive effect.

² The United Nations considers gender equality to be essential for equality, development and peace. Lately, it has been agreed that the Millennium Development Goals cannot be achieved without it. At the recent session of the United Nations Commission on the Status of Women, the Secretary-General insisted that gender equality and the empowerment of women are an integral part of achieving the Goals (United Nations, 2010).

Because inequalities are the result of a complex interplay of political, social, cultural and economic factors, the crafting of comprehensive political demands from them requires an active role to be played by the State, with coherent social and economic policies, stronger democratic institutions, the overcoming of territorial inequality and far-reaching cultural change. To achieve development with equality, the patriarchal culture that reproduces and perpetuates the subordination of women must be dismantled. While there is a growing awareness within the political debate and on the public agenda of long-standing differences among social groups (ECLAC, 2010a), it is highly relevant to consider not only the biological and social roots of this diversity but, most importantly, its cultural origins, so as to critically analyse the tensions involved in recognizing diversity with a view to achieving equality (Cuvi and Vega, 2010).

From this perspective, the purpose of focusing on the economic empowerment of women is to expose what is known as the strategic silence (Bakker, 1994), which helps to explain why macroeconomic policies have not taken account of gender bias and the historical continuity of the male provider as the template for the sexual division of labour. In this sense, the family is a particularly critical space because it reproduces the sexual division of labour by means of primary socialization and day-to-day experience.

Analysing the economic issue in relation to the development of women's autonomy requires an understanding of the links with other dimensions of autonomy. Economic autonomy is strengthened as women gain physical autonomy and decision-making autonomy. In other words, women's economic autonomy is the culmination of a virtuous circle made up of economic independence, reproductive rights, a violence-free life and political parity.³

This chapter sets forth a number of reflections upon equality from the gender perspective, affording particular attention to women's economic empowerment and autonomy. It analyses the necessary role of the State as a guarantor of effective entitlement to rights, an economic agent and an expression of democracy. States are in deficit from the point of view of gender equality (Pateman, 1995). Although globalization has broadened the horizon of human rights for women, and despite the constitutional recognition of those rights in most countries, the international legal standards are often not applied, particularly when it comes to the interpretation and implementation of instruments of women's human rights. The need to create, strengthen and renew (national and international) institutions to resolve this tension is made obvious by every obstacle women encounter in the exercise of their rights. Both national and international spheres have become arenas for dispute.

Box 1.1

WOMEN AND THE ECONOMIC CRISIS IN BRAZIL

Analysis of Brazil's employment data by sectors of economic activity for 2009 shows that the greatest job losses among women occurred in the extraction and processing industry, production and distribution of electricity, gas and water (8.4%), and in commerce, vehicle repairs and personal items (5.8%). Among men, the greatest losses were in domestic service (5.7%) and manufacturing (4.8%).

Industry was the hardest hit sector early in the crisis, so it could be expected to show the largest job losses, among women and men alike. Yet, although industry is a field strongly dominated by men, proportionally speaking, women lost more jobs in this sector. Among them, black women were the worst affected (9.9%), compared with white women (7.7%). In other words, the crisis accentuated the pattern of white, male domination in Brazilian industry.

Source: Gender Equality Observatory of Brazil, "Impacto da Crise sobre as mulheres", 2009.

A. What kind of State? What kind of equality?

What kind of State? What kind of equality? are the questions this document attempts to answer from the perspective of women's full entitlement to human rights, which is the framework agreed by the international community to promote and measure progress towards gender equality.⁴

These questions are being asked at a point in history when the role of the region's States in building more egalitarian societies is being critically examined for several reasons.

³ This is established in the Quito Consensus adopted at the tenth session of the Regional Conference on Women in Latin America and the Caribbean (ECLAC, 2007a).

⁴ The concept of women's human rights originates from the need to recognize the socially differentiated positions of men and women, and it emerged in response to the lack of recognition for the specificities of that concept prior to the Convention on the Elimination of All Forms of Discrimination against Women in 1979 and the World Conference on Human Rights held in Vienna in 1993. According to feminist analysts, from the outset the male was considered to be the reference

point for humanity in various national and international instruments. This was true of human rights instruments, which were drafted from a male perspective and for male subjects. This is reflected in the language, concepts and main content of such instruments, which have since been revised and expanded by means of new instruments, beginning with the Convention on the Elimination of All Forms of Discrimination against Women. In Latin America and the Caribbean, the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women adopted in Belém do Pará in 1994 fulfilled a similar function.

First, because globalization (and particularly the transnationalization of economies) comes into conflict with the national nature of the State, and this has become more apparent since the crisis.

Whereas globalization implies opening up economies, States still maintain restrictions on the rights and mobility of individuals, especially those who seek work outside their national boundaries.

Second, because greater equality of rights, opportunities and well-being creates a greater sense of belonging; a society must become more integrated before it can become more productive, and greater equality in the sphere of social rights leads to greater equality of political visibility and influence (ECLAC, 2010a).

Third, 15 years of social and political struggle by the women's movement, the adoption of legislation and policies based on the Beijing Platform for Action and steady cultural change in the role and rights of women have laid the foundations for new policy areas that will help to consolidate those changes. One notable example is that the path of women's rights and autonomy has led to a recognition that reproductive household work is part of wealth creation, and a gradual acceptance that it is a responsibility not only of women and men but also of the community, businesses and institutions, as well as being a lynchpin of economic development. This process is redefining traditional understanding of the boundaries between public and private spheres, and is driving a rethink of how the State, market and the family interact. Societies in which men and women share rights and responsibilities in public and private life—especially in caring for children, older adults and the sick—require new care roles for the State, the market and families, including joint responsibility for men and women, new types of services and new ways of organizing daily life and public and private agencies, which must be guided by public policy. Gender equality is an integral part of this agenda.

Fourth, in addition to the recent economic and financial crisis, the energy and food crises in recent years have again raised questions about the basic assumptions regarding the effects of macroeconomic policies based on the paradigm of the free-market system and limited State intervention. The experience of previous crises shows that the negative impact on poverty, well-being and social inclusion is usually much deeper and longer lasting than

the impact on economic growth. This calls for a more in-depth analysis of the validity of these assumptions and the capacity of current macroeconomic policies to face issues such as climate change and its consequences for productive development, to change patterns of consumption and to alleviate the various forms of inequality that characterize the region. Questions have also been raised about the effectiveness of social policies designed to offset the dynamics of exclusion that arise from the implementation of a free-market system.

Lastly, in recent years the democracies of the region's countries have placed the issue of economic, social and cultural rights in the remit of policies and politics, claiming that equal rights “means that citizenship, as an irreducible value, fully endows people with the right, by the mere fact of their being part of society and regardless of individual achievements and monetary resources, to access certain minimum levels of social welfare and recognition” (ECLAC, 2010a, p. 11).

The ability of States to ensure these minimum standards is hampered when the impact of the crisis undermines employment for the most vulnerable, fiscal resources for social protection and the conditions for boosting economic growth, and when the implementation of gender equality policies remains woefully inadequate. Many of the gender inequalities that require greater State intervention to fulfil women's rights are related to how far away women are from the basic standards of well-being in areas such as access to productive resources, decent employment, ability to decide on their sexual and reproductive lives and motherhood, professional care during pregnancy and childbirth, and a life free of violence.

More generally, the questions “What kind of State? What kind of equality?” could be seen as an attempt to respond to drastic questioning, from the gender-equality perspective, of the role and means of intervention of the State, which is driven by both the persistence of inequality structures in Latin America and the Caribbean and the advances made in equality processes themselves. Any attempt to answer these questions must also take account of demographic changes, alterations in family composition and dynamics, democratic advances, scientific and technological change and globalization in all its dimensions.

B. States in tension

It must first be emphasized that the State, like other institutions, such as the market and the family, is not neutral and reflects the configuration of society. In other words, the State reflects the power relations and the influence wielded by different social and corporate groups represented in its institutions. The State cannot reflect the common good unless all people, men and women, have public voice, representation and bargaining power.

As noted earlier, some of the questions being asked of the State are the result of progress made in gender equality, as well as the persistence of barriers and unmet targets, which have often stretched the capacity and flexibility of States. For instance, globalization—along with pressure from women and the willingness of some governments—has been conducive to the adoption of legal frameworks that promote equality and the exercise

of human and citizens' rights as fundamental principles of democracy and development.⁵ However, this process of rights reinforcement has generated tensions between national and international legal systems. In some cases, States have tended towards a piecemeal treatment of internationally recognized equalities (Beck, 2004), thereby neglecting their duty as guarantors of the integral nature and interdependence of human rights. In other cases, the protection of women's human rights has supported equality using arguments, legal precedents and international good practices not incorporated into restrictive national frameworks. This is partly why the Convention on the Elimination of All Forms of Discrimination against Women is the only convention adopted without a protocol, which makes its recognition and application an ongoing challenge for many countries.⁶

An even greater tension is generated by the demand for egalitarian distribution of responsibilities in family and productive life, which is necessary if real equality is to be achieved between men and women. This equality represents the aim for a society in which, in the words of Nancy Fraser (1997), women and men are both caregivers and providers. A step in this direction is the notion of parity, not as a larger share for women but as a broader expression of universality (Montaño, 2007), on the understanding that equal participation ultimately applies not only to decisions in democratic institutions but also to family, productive and social life.⁷ This last idea involves a redistribution of

the total workload (paid and unpaid work) that, in order to be equitable, requires a redistribution of time and power, including the power wielded within the family—and this notion remains controversial.

From a gender perspective, the idea of the redistribution and recognition of domestic work that goes hand in hand with the struggle for equality has altered economic and social thinking to include unpaid work as an essential dimension of social and economic analysis. This idea has, moreover, raised questions about the public policies and cultural assumptions on which such thinking is based, while offering fresh and innovative visions that have yet to be translated into daily practices and common sense. It should be stressed that, in order for the redistribution and recognition of domestic work to mutually enhance each other, a strengthening of individuals' internal and external capabilities is vital (Nussbaum, 2000), as is buoyant productive development to boost women's economic autonomy.

Peredo (2009) argued that the division of labour forms the basis for the building and rebuilding of social hierarchies considered "universal" and for the construction of men, women, adults, children, employers and employees as social subjects, all based on power relations typical of a society that affords the male sex prerogatives and privileges over the female sex, i.e., a patriarchal society. This is the context for the formation of relations between men and women from sociocultural strata differentiated by class and race: witness the case of domestic service and the meanings that these relations construct and reconstruct in societies built upon gender, race and class discrimination.

There have also been tensions surrounding the recognition of physical autonomy, meaning women's ability to live a life free of violence and make decisions about their health and sexuality. Women's right to have a voice and vote about their bodies, lives and the resources they need are necessary conditions for the redistribution of responsibilities in the private sphere and the broadening of opportunities in the public sphere. Contrasting with the unanimous recognition of the need to eradicate violence against women (although achievements to date are regrettably limited), women's autonomy in terms of sexual and reproductive health is still questioned in many countries where basic measures such as access to emergency contraception have been rejected, thus imposing the violence of unwanted pregnancy.

In sum, today's gender equality agenda is not only a statement of policies required, but also a recognition of the transformations under way that involve new roles for the State, the market and the family (rather than simply for men and women), all with a view to achieving an egalitarian

⁵ Besides the Convention on the Elimination of All Forms of Discrimination against Women, the most relevant international agreements to have given rise to a comprehensive human rights and development agenda have been the treaties of the International Labour Organization (ILO) on equality; the Declaration and Programme of Action of the World Conference on Human Rights (Vienna, 1993); the Programme of Action of the International Conference on Population and Development (Cairo, 1994); the Platform for Action of the Fourth World Conference on Women (Beijing, 1995); the Social Programme of Action of the World Summit for Social Development (Copenhagen, 1995); the Millennium Declaration adopted by the United Nations General Assembly (New York, 2000); the Plan of Action of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance (Durban, 2001); and the United Nations Declaration on the Rights of Indigenous Peoples (approved by the United Nations Human Rights Council in 2006).

⁶ Although all of the region's countries have signed and ratified the Convention on the Elimination of All Forms of Discrimination against Women, the same cannot be said of the Optional Protocol adopted in 1999 (which as the name suggests involves no obligation to sign). By the beginning of 2007, half (17) of the 33 countries of the region had signed the Protocol: Antigua and Barbuda, Argentina, Belize, Bolivarian Republic of Venezuela, Brazil, Colombia, Costa Rica, Dominican Republic, Ecuador, Guatemala, Mexico, Panama, Paraguay, Peru, Plurinational State of Bolivia, Saint Kitts and Nevis and Uruguay. Chile, Cuba and El Salvador signed the Optional Protocol between 1999 and 2001, but have not yet ratified it. Since then, as of March 2010 no other country in the region had signed or ratified the Protocol. This suggests that States recognize the rights of women but are not prepared to adopt the instruments necessary to enforce them. See [online] <http://www.cepal.org/oig>.

⁷ The Quito Consensus adopted by the tenth session of the Regional Conference on Women in Latin America and the Caribbean (2007) recognizes parity as "one of the key driving forces of democracy, that its

aim is to achieve equality in the exercise of power, in decision-making, in mechanisms of social and political participation and representation, in diverse types of family relations, and in social, economic, political and cultural relations, and that it constitutes a goal for the eradication of women's structural exclusion" (ECLAC, 2007a, p. 3).

society. In turn, the recognition of inequality requires a legal acknowledgement of discrimination, as well as policymaking

and capacity-building for the common good, so that people may escape the tyranny of tradition and prejudices.

C. The difficult road to equality

Although in recent years processes of globalization and democratic consolidation have been seen to expand the scope for promoting rights, in the economic sector macroeconomic policies have been tending to reduce the role of the State. This has meant that *de jure* recognition of rights (especially women's rights) has been accompanied by a weakening of State institutions, such that equality objectives have often become subordinate to the objectives of economic growth. In order to incorporate a rights perspective into public policies, a review of their content and of the parameters for evaluating and enforcing their implementation must be conducted. Access to justice must be analysed in relation to development strategies and public policies and the gender bias debate. Paradoxically, social policies on the whole do not tend to emphasize the importance of systems and policies relating to access to justice and authorities for the submission of rights claims, which are essential to improving social participation, transparency, enforcement and, in short, the effectiveness of those very policies (Pautasi, 2007b). Access to justice is also a guarantee of equality in terms of entitlement to rights. The outcomes of these social-equality policies have been unimpressive, despite well-known successes such as control of inflation, fiscal savings and higher exports, which have nonetheless fallen short of consolidating growth stability.

In addition, the region's achievements in the growth years that preceded the most recent financial crisis (ECLAC, 2009a) did not undo the structural heterogeneity that largely explains the acute social inequality in Latin America and the Caribbean.⁸ This can be seen in the productivity gaps that reflect, as well as reinforce, gaps in capabilities, in the incorporation of technical progress, in bargaining power, in access to social safety nets and

in options for upward occupational mobility throughout working life (ECLAC, 2010a). The region's wider productivity gaps, compared with developed countries, imply greater wage gaps and more unequal income distribution, with these phenomena being even more acute among women.

Lastly, as far as the above-mentioned limitations to women's physical autonomy are concerned, certain public policy challenges have been identified: should or can States limit the range of health services they offer in order to avoid offending the convictions of a particular group of citizens? These debates are becoming increasingly common in the region, and show the diversity of visions about the type of State and equality held by various actors and collectives with unequal levels of power.

Levels of inequality also cast doubt on the validity of the assumption that the State is a neutral institution as far as social inequalities are concerned, and particularly in terms of inequalities between men and women. This document asks what effect economic growth, income distribution and the international crisis have on equality, and more specifically on gender equality. It also considers the impact upon gender equality of policies and laws aimed at promoting economic and social development or changing the social and sexual division of labour, the distribution of time resources and the "powers that be" that maintain women's inequality throughout their life cycle.

The persistence of discrimination and inequality can be seen in the fact that, despite major successes to date, most women are far from achieving economic, political and physical autonomy. The barriers in these three spheres of autonomy are still mutually reinforcing and prevent women from participating in society, politics and economic development, as discussed in this document.

D. The care economy

From a gender perspective, social relations are understood as power relations in all areas: economic, social, political and cultural. The sexual division of labour based on gender systematically separates productive work from reproductive work, and determines the place of men and women within the economy. Clarifying

how these relations perpetuate women's subordination and exclusion by limiting their autonomy helps to understand their influence on the functioning of the economic system. This method of analysing economic and social relations provides a broader perspective than the conventional viewpoint, as it incorporates missing dimensions (Picchio, 2001 and 2005), such as unpaid work, and is developed to reveal the care

⁸ After six years of uninterrupted growth, the GDP of Latin America and the Caribbean is expected to fall by 1.8% and per capita GDP by close to 2.9% in 2009 (ECLAC, 2009a).

economy (with special emphasis on social reproduction, which is performed mainly by women). This shows the contribution of social reproduction to economic

development and demonstrates that social relations are also redolent with the cultural values that characterize care work as a female attribute (ECLAC, 2009d).

Box 1.2 DEFINITION OF CARE

Care is “a species activity that includes everything that we do to maintain, continue, and repair our “world” so that we can live in it as well as possible. That world includes our bodies, our selves, and our environment, all of which we seek to interweave in a complex, life-sustaining web” (Fisher and Tronto (1990), cited in Tronto (2006), p. 5).

This definition includes self-care as well as caring for others, while not considering the emotional dimension and without equating it to any commercial activity. It also includes the perspective of those providing care and those receiving care.

Source: Joan Tronto, “Vicious circles of privatized caring”, *Socializing Care: Feminist Ethics and Public Issues*, Maurice Hamington and Dorothy Miller (eds.), Lanham, Rowman and Littlefield Publishers, 2006.

The essential nature of reproductive work has been recognized in many ways, often as a symbolic homage to motherhood and in praise of women’s self-sacrifice (in other words presenting it as socially desirable behaviour). More pragmatically, the Beveridge report⁹ of 1942 that guided British labour policy on social security proclaimed the principle of universal coverage for all from cradle to grave, explicitly recognizing women’s free subsidization of the economic system: “[...] The great majority of married women must be regarded as occupied on work which is vital though unpaid, without which their husbands could not do their paid work and without which the nation could not continue” (report cited in Aguirre and Scuro Somma, 2010, p. 12). Vitally, this sentence refers to the daily reproduction not only of the workforce but also of the State, which requires civil servants, soldiers and citizens in order to exist. Nevertheless, such recognition has not been included in contemporary economic thinking or the public policies based upon it.¹⁰ Rather it is the multifaceted impact (on family, labour, political and scientific life) of women’s increasing autonomy that is driving a rethink of explanatory models of the economy. Nevertheless, several countries constitutions now recognize the unpaid work performed by women.

At the macroeconomic level, taking account of the link between paid and unpaid work has many implications. Picchio (2001) and other female writers suggest changing the traditional representation of the economic circuit, and particularly the circular flow of income that describes relations between households and businesses. Reference here is made to Picchio, who suggests that the scheme should include an economic space that could be termed social reproduction.¹¹

In the traditional representation of the circular flow of income, households provide labour to businesses that pay wages in return for work. Wage income is used to pay for goods and services produced by businesses on the basis of their price, which is determined by the ratio between supply (from businesses) and demand (from households).

The extended circular flow of income formulated by Picchio (2001) includes what happens in households.¹² This is the key element of the contribution of the feminist economy to this representation of how the economic system functions.

In the social reproduction space, the following economic functions are carried out in the private household sphere:

- Expansion or extension of monetary income in the form of improved standards of living (real consumption), such as cooked food, clean clothes, and so forth. In other words, this includes merchandise purchased using wages, as well as the transformation of these goods and services into real consumption through the intermediation of unpaid social reproduction work;

⁹ The then Minister of Labour in the United Kingdom asked William Beveridge (Master of University College, Oxford) to produce a report on social protection. The report on Social Insurance and Allied Services presented to Parliament (known as the Beveridge report) was made public in 1942. Beveridge sought to ensure a minimum standard of living below which no one should fall. To convince sceptic conservatives, Beveridge explained that if the State covered sickness and retirement pension costs, then national industry would benefit from increased productivity and the resulting rise in competitiveness.

¹⁰ According to Picchio (2001, p. 3), the labour-market analysis of classic economists (Quesnay, Smith, Ricardo and, in some way, Marx) incorporated productive and reproductive aspects, as these were seen not in a reductionist and merely biological way, but also as having social meaning.

¹¹ Picchio (2001) calls this the human development space, but this could be confused with the work of the Human Development Index (HDI) calculated every year by the United Nations Development Fund (UNDP) or with the concept of human capital, which refers to an instrumental use of individuals as elements of production that must be updated and valued to increase their productivity.

¹² See the extended circular flow of income in annex 2.

- Expansion of consumption in the form of an effective condition of well-being that consists of enjoying conventionally appropriate levels of education, health and social life, made possible thanks to unpaid care work (for instance, ensuring children attend school and looking after health);¹³
- Enabling the population to join the paid labour market or to become self-employed workers in the market for goods and services. Unpaid work materially and psychologically facilitates processes that workers need to adapt to the organizational and technological requirements of producing goods and services. This third function applies to national economies as well as economies in the rest of the world, to which some of the population raised in the reproduction space emigrate. It must also be taken into account that emigrant workers send remittances to their households of origin;
- Regulating the labour force for economic activity, since the arbitrage that takes place within households between the reproductive work inherent to the reproduction space and paid work within the economy (along with labour demand and market conditions) determine the volume of labour available for economic activities.

These functions are related to very concrete processes that take place within households and, as noted earlier, they are vital for the functioning of the economy.

Households purchase the goods and services they require to satisfy their needs and wants using the monetary resources obtained from their participation in the production of goods and services (including work for other households) in commercial and non-commercial (public sector) production, and also thanks to revenue from household income redistribution mechanisms, social welfare or migrant remittances.¹⁴

Once the goods and services have been purchased, they must be transformed into effective consumption by means of unpaid work, mainly housework. This is how expanded living standards are achieved. Unpaid care work is another way in which people expand living standards into well-being through activities relating to, among other things, care, health, education and leisure. The process of expanding income into well-being is characterized by the recognition of needs, capacities and aspirations (Picchio, 2001, p. 16).

Unlike in the case of traditional circular flow, extended flow does not consider households as harmonious institutions. On the contrary, the inclusion of unpaid work in the analysis makes the situation of households more complex, as their members must now implicitly or explicitly negotiate and decide upon their own division of labour.¹⁵

In other words, the supply of paid work is regulated by the negotiation that takes place within households on the distribution of unpaid work among household members according to sex and generation.

Box 1.3

CONSTITUTIONAL REFORMS RECOGNIZING UNPAID AND CARE WORK

The Constitution of the Bolivarian Republic of Venezuela (1999) explicitly recognizes household work as an economic activity that adds value and produces wealth and social well-being, while also recognizing the right of all to social security (specifically including homemakers) “as a non-profit public service to ensure health care and protection when maternity-related contingencies arise”.

In Ecuador, the Constitution (2008) guarantees social security to all as an inalienable right and affords special emphasis to the care of older persons. It provides that the State shall furnish public policies and programmes for older persons taking into account specific differences between urban and rural areas, gender inequities, ethnicity, culture and differences between individuals, communities, peoples and nationalities. The State is also called upon to promote the greatest possible personal autonomy and participation in the definition and implementation of these policies. Unpaid subsistence and care work performed in the household is also recognized as productive work.

Source: Constitutions of the Bolivarian Republic of Venezuela, the Dominican Republic, Ecuador and the Plurinational State of Bolivia.

The new Constitution (2008) in the Plurinational State of Bolivia provides, in article 338, that the economic value of household work should be recognized as a source of wealth that should be quantified in the public accounts. This article not only recognizes the unpaid work performed by women, but also calls for its valuation in the national accounts. This throws up the challenge of developing sources of information and implementing methodologies for attributing economic value to unpaid work as a non-monetary public resource.

As well as the principle of equality, the new Constitution of the Dominican Republic (2010) recognizes women’s right to a life free of violence, the productive value of domestic work, de facto unions, the principle of equal pay for equal work and the right of popular legislative initiative. Gender-neutral language is employed throughout the text of the Constitution.

¹³ Picchio (2005) understands well-being, according to the approach of Sen (1985) and Nussbaum (2000), as a set of human capacities and effective functioning in the social sphere.

¹⁴ Households also allocate part of their production of goods for self-consumption (especially in rural areas). Goods used for self-consumption are transformed through domestic work.

¹⁵ The idea of households as inharmonious units refers to the Sen’s concept of cooperative conflicts (1990).

This regulation takes place through the allocation of time to unpaid work and paid work: the individuals (mainly women) who take on unpaid work liberate potential workers from care responsibilities.

Unpaid work therefore influences not only the number of people available for paid work, but also the number of hours allocated to paid work. This means that the people who make up the labour force within national borders develop strategies to combine part-time work in the market with their day-to-day unpaid work hours, or increasingly, combine full-time work in the market with unpaid work. Meanwhile, those devoted exclusively to unpaid work are excluded from economic activity (wage work or independent work).

As well as helping to determine the potential workforce (in terms of number of workers and hours) that will be involved in wage or independent work within the national territory or exported to the rest of the world in response to labour demand in other countries, unpaid work also influences the quality of workers. This influence has to do with the care provided in the household, as well as to the values, skills and agency (in the sense used by Sen (1990)) transmitted in the education system, households and society.

Thus, according to Picchio (1999), merchandise production not only incorporates unpaid production work but also unpaid reproduction work that is embedded in the waged labour force and the corpus of self-employed

workers. When unpaid care work is included in the analysis of capitalist production relations and small-scale commercial production, it can be seen as a transfer, or rather a subsidy, from the domestic sphere to the accumulation of capital (through wage work). Furthermore, some of the wages earned by the waged worker in capitalist enterprise or the income from small-scale commercial production is transferred to unpaid work carried out in the household, not in exchange for the subsidy but as a source of financing for the inputs of unpaid work.

These transfers cannot be determined, insofar as it is not known how monetary income is distributed between the household and the worker, or how the effectively allocated resources are distributed within the household.¹⁶ In contrast, transfers from money earned through waged work depend on the level of exploitation of capital over wages.¹⁷ In the light of the historical evidence, capitalist enterprises are more likely to place downward pressure on wages, keep wages low or contain any rises, so as to ensure or increase profit rates or their share of value added, which makes clear the intensity and inevitability of unpaid, domestic and care work (especially for unskilled or relatively unskilled workers). Reproduction is trapped between a given salary and the needs or shortages it must cover. According to Picchio (1999, p. 220), this is an issue of power relations in terms of both class and gender, whenever an inverse relationship between wages and profit becomes a direct relationship between unpaid domestic work and profit.

Box 1.4

WAWA WASI: COMMUNITY CARE

With regard to care work in general, and women's contribution in particular, some notable work of a voluntary nature and performed mostly by women is being carried out in communities (community kitchens, community clinics and other centres).

The Wawa Wasi National Programme in Peru is a management model based on the organized and committed voluntary participation of the community in the direct administration of resources supplied by the State to provide protection and comprehensive care services for children, thus helping to improve the development opportunities of the families that use the services. The programme has managed

to shatter the image of social programmes as a source of handouts and show that efficient State management is possible with the organized involvement of the community. The model in question is based on local management and the joint efforts of the State and the community.

Steps are currently being taken to grant professional certification to the mothers who provide care through the Programme. Such certification would make it possible for them to enter the labour market and find work and earn fairer wages for the activities that they are carrying out as part of the Wawa Wasi Programme.

The proposal here establishes links between the recognition of unpaid work and macroeconomic analysis, public policies and, ultimately, the study of migration (which has a substantial impact on income distribution). Public policy intervenes in production and the wage fund, as well as in increasing people's well-being through social welfare and protection policies or household transfers. In addition, the public sector employs a significant proportion of the national workforce, and acts as employer within the flow of income. The circular income in an open economy is also linked to

economies in the rest of the world, through migratory flows (especially exports of labour), the transnationalization of production processes, trade liberalization and revenue flows (particularly those from remittances).

¹⁶ This distribution depends on the gender relations that make up unions, families or households and that define the social and economic functions of men and women.

¹⁷ In other words, they depend on the share of the wage bill and profits in output.

E. Employment systems from a gender perspective

From a sociological perspective, ECLAC has been working to deepen analyses of the links between the public and private spheres, and between paid and unpaid work.¹⁸ From the economic point of view, the extended circular flow of income represents the crucial link between reproductive and productive work. Once this representation has established the fundamental role of reproductive work in the economy, a systematic understanding of the link between paid and unpaid work requires the construction of a conceptual framework for gender in employment systems, since paid work is the main source of monetary resources for most people—including women.

Given the heterogeneity of production structure—and therefore of people's occupations—in the region's countries, the proposed basis is not the labour market (which refers more to the difference between labour supply provided by people and labour demand from businesses and other employers), but rather the notion of employment system. This can be defined as a series of heterogeneous structures interlinked by regulatory mechanisms that facilitate their dynamic reproduction (Lautier, 1990). From this perspective, it is possible to take account of wage work (which is the main form of employment in the region for men and women) and own-account work or self-employment (which represents around 20% of the employed population).

The structure of the employment system is the result of actions and interdependences among three main actors: businesses (capitalist or small-scale commercial production), the State and families. Businesses implement strategies and practices to manage wage and non-wage relations. The State intervenes in the labour market to regulate the conditions of use of the workforce and to offset the discrepancy between labour income and household requirements. The State also acts as employer for a significant percentage of the employed population. In the case of self-employed workers, State mechanisms relate mainly to conditions for setting up and operating business establishments. Families, as reproductive work spaces, take on the functions described previously and constitute a sphere for developing small-scale commercial production characterized by a thin divide between the family budget and the finances of the business. Families also become employers when they hire paid domestic labour.

The wage labour market and independent work are tackled separately below, bearing in mind that they are

linked in several ways: (i) within households when they include wage workers, independent workers and auxiliary family workers, among others, and (ii) in markets, when some of the demand for goods and services from wage workers is directed at the businesses of self-employed workers.

The aim is to understand how gender relations based on perceived differences between men and women shape the wage labour market and the universe of own-account work or small-scale commercial production, including the generation of different employment situations based on the sex of the employee, as well as unequal pay.

1. The wage labour market

The demand of businesses for wage labour reflects stereotypes about women's capacity for work. Discriminatory recruiting processes then result in women being offered occupations or positions that correspond to those stereotypes.

Women's caregiving tasks are also a decisive factor in the demand for wage work. Recruitment and remuneration strategies are based on the profile of women (age, children and skills) and benefit from family care strategies without having to pay the costs of care services outside the household. In order to guarantee an available workforce, maintain low wage costs or keep pay rises to a minimum and reduce the costs of maternity benefits or staff turnover, businesses tend to choose different profiles in accordance with the objective care obligations and the corresponding stereotypes. When they select young women with no children, they are discriminating against women with responsibilities relating to reproductive work, and this goes hand in hand with controlling the time of their workforce. The selection of married women with children is underlain by the assumption that women accept low wages out of the need to finance the care and reproduction of their families. This strategy transforms care as a social function into a means of discrimination and control over the remuneration of the workforce.

On the labour supply side, women have to consider ways of reconciling reproductive work and wage work. Their burden of unpaid work determines the time they have for paid work, which tends to be less than the time available to men who do not devote time to care responsibilities.

Women reveal their preferences by accepting certain jobs. For instance, they take part-time jobs in order to perform reproductive work. These preferences are constrained by certain factors, including the following:

¹⁸ For a more detailed analysis, see ECLAC (2007b) and Montaña (2010).

- The prevailing sexual division of labour within the family, and therefore in society, where there are no universal care services to liberate women's time or when women are subjected to economic violence by a spouse who places conditions on their access to the labour market,¹⁹ and
- Discrimination embedded in the strategies of businesses that offer certain employment opportunities to women.

The combined effect of labour demand and supply as described above, that is, double discrimination by businesses (which perpetuate stereotypes and instrumentalize care) and the allocation of reproductive work in families, thus determines the labour segmentation of men and women in terms of activity sectors, type of employment, position in the hierarchy and professional career profile.

This combined effect also determines the setting of wage levels as part of the financial, commercial, organizational and technological strategies used by businesses to increase their profit margins and maintain or expand their markets under operating conditions.

Such an analysis calls for researchers and academics to work on identifying the diversity of existing situations and mechanisms based on factors including the characteristics of the markets in which businesses operate, and the prevailing cultural patterns in the societies where the situations occur. Trade union organizations can also participate in this work by requesting accountability in the workplace. Besides this, it is vital to investigate the nature of inequalities between men and women at every level of the wage hierarchy. Lastly, what needs to be guaranteed is equality not only in access but also with regard to work trajectories and tenure, where there remains a hard core of discrimination, even after almost 30 years of women's participation in the labour market.

The use of the workforce by businesses is based principally on six pillars: (i) assignment to jobs; (ii) work time (hours, time off, maternity leave, and so forth); (iii) contract type (explicit or tacit) and duration; (iv) method of remuneration or pay; (v) level of remuneration; and (vi) work trajectory. However, the structure and dynamics of the wage labour market are not exclusively the result of demand from businesses and supply from households, because the State can also intervene for the purposes of regulation.

The State's level of intervention and role in the use of the labour force is dependent upon fairly reversible historical processes, based on power relations between the State, capital and workers that determine business cycles. There are many ways in which the State can play such a role, based on:

- Vision of the State's role in the economy in general and in the regulation of the use of the labour force in particular;
- The content and subsequent extension of rules (the body of law);
- The institutional capacity of the State to enforce these rules; and
- Policy decisions on the content of rules and the use of this institutional capacity.

Historically, Latin American and Caribbean States have managed the use of the labour force in an ambiguous way, by adopting laws without necessarily taking or being able to take the action to apply them. A structure of heterogeneous wage relations may therefore be said to exist, whereby some segments of the labour force are used informally (outside State regulations), while other segments are used in accordance with the law. Some segments of the waged labour market are regulated by the State, while others are not, either through State omission or because of a decision made, by stating that the population in question is not covered by the laws in force.

2. Self-employment and small-scale commercial production

Self-employment takes the form of independent work (involving only temporary wage workers, if any at all) in agriculture or the urban economy and, particularly in this region, within the informal economy. In other words, the range of economic activities that are outside State regulation (ILO, 2003).

These activities are also part of the market, as they produce goods and services for sale using a combination of financial, physical and labour assets, mainly from the self-employed worker and from various sources of financing and relations with suppliers of inputs or merchandise.

Small-scale farming enterprises and the businesses of self-employed workers are closely linked to families, whereas enterprises with permanent wage workers tend to separate business from family operation, financially speaking.

These links are based on two lynchpins: (i) transfer of costs from enterprise to family (Pourcet, 1995) and (ii) assignment of family members to reproductive work and, above all, productive work in the business of the self-employed worker. In enterprises run by employers, the mainstay of relations between business and family is the assignment of individuals to both reproductive and productive work.

Setting up as self-employed and running small-scale independent enterprises involves gender

¹⁹ Economic violence is defined as a series of mechanisms of money-related control, mistrust and threats that reinforce male power in the household and that may limit women's access to productive activities (ECLAC, 2007c). According to the limited data available, in 2008 10.7% of women aged 15 to 49 had at some time been subjected to economic violence by a partner in the Plurinational State of Bolivia. Previous data from three other countries in the region show similar situations: 19.1% of the same age group of women in Colombia (2005), 29.3% in Mexico (2003) and 13.7% in Peru (2004) (ECLAC, 2009b).

segmentation and discrimination that reflect gender inequalities within society, though with specific manifestations within this sector. For instance, women with low-income enterprises have been shown to allocate resources or profits to household reproduction rather than for the growth of the business.²⁰

The responsibility of reproductive work imposed on women has several implications for carrying out independent work, such as limitations on time distribution, access to education and skills development.

The limited time availability that results from the need to perform unpaid work, where there are no financial resources to outsource it, leads women to delay entry to independent work, in both rural and urban areas.²¹ When it is possible to begin work independent, women are forced into certain choices. For instance, they choose informal activities that make it easier to reconcile reproductive and productive work. This limits, among other things, the possibilities of scaling up their income (particularly in low-productivity activities where people must work longer hours in order to earn more). When the two spheres are reconciled by working at home, poor women have limited access to wide or growing markets, as they remain in a market where demand for goods and services comes from other poor households.

In turn, women's traditional assignment to reproductive work and the subsequent lack of education helps to confine female self-employed workers to specializing in activities that involve skills acquired in the home, which are characterized by low productivity and low income.

In terms of access to economic assets, processes of discrimination against women are based on legal provisions or common law relating to property (through inheritance and purchase) and the ownership and use of assets, and on the practices that reflect these provisions

within families, the property market and State policies on land titling. Specific legislation was passed in Brazil in 2003 establishing compulsory joint titling of plots of land in agrarian reform settlements. As a result, women's rights in terms of access to land were extended. These provisions and practices constitute production methods that are biased against women. One example is the small-scale, family farming economy that —despite women's participation in the farming work itself²²— in one way or another excludes women, not only from ownership of land but also from access to it, owing to male preferences in inheritance, male privileges in marriage, gender bias in the share in land market and male bias in State land-distribution programmes (Deere and León, 2000).²³ Women are often excluded from agricultural activities and their part in production chains is kept hidden because of the sociocultural patterns that characterize the processes of gathering statistics relating to agriculture and rural areas. Furthermore, even when women in Latin America and the Caribbean do own land, actual control, that is, the capacity to decide on the use of the land and related benefits, is not always guaranteed. This is the case of land owned as part of the family assets managed by the male head of household (Deere and León, 2000).

Access to assets and financing is also determined by the fact that women are traditionally assigned to reproductive work, insofar as this establishes women's dependence in terms of the family. One of the main sources of financing for women to acquire assets or goods is the intra-household transfer of the spouse's income, added to the donations or loans from other family members. In addition, access to assets is determined by women's previous employment in low-productivity or poorly paid jobs; saving some of the income earned in previous employment serves as the initial funding for entering the market.

F. Role of the State and the right to care

Most countries establish care obligations for family members. Although the legal care obligations of both spouses in relation to their descendants and ascendants are clearly defined, there is a gap between these rules and the services, infrastructure and provisions to implement them.

The law obliges mothers and fathers to care for and attend to the children under their responsibility, as part of the regulation of family relations. Similarly, conventional civil law establishes the obligation of families to provide care and attention for older people and those in need. In

normative terms, however, the region's countries generally limit their care interventions to two spheres. First, there is the protection of the working mother in the work place (mainly during pregnancy, birth and breastfeeding). Second, there is compulsory primary education. In some cases, the State guarantees an initial level of care from 45 days of age.

²⁰ This reflects a type of economic rationale, which takes into account that fact that certain activities are highly unlikely to grow and become successful enterprises with profits above the poverty line.

²¹ Schwartz (2000) shows that, in Haiti, women in rural areas who can transfer some care work to older children participate more in economic activity (especially in commerce).

²² Available statistics describing the employment of men and women by occupational category in the farming sector indicate that most independent farmers or farm employers are men. Women tend to be classified as unpaid family assistants. This classification should be reviewed. In any event, qualitative studies on the sexual division of farming work on family farms show the tasks assigned to women, men and both sexes.

²³ According to Deere and León (2000, p. 3), whereas rights are legally and socially recognized demands that can be applied by a legitimate external authority such as the community or State, access to land includes not only the right to land but also informal means of obtaining land, such as borrowing it from a relative or neighbour during a growing season.

One contribution to the debate and the formulation of development policies with a gender perspective is the incorporation of sectoral studies and diagnostics into the analysis of disparities between legal provisions, policies applied and the actual situation experienced by women when they join the labour market and throughout their working lives. This means that any recommendation of practices must be preceded by an analysis of the scope of regulations for each productive activity, and in particular the legal framework of the labour market.

Legal obligations and the good practices of public and private employers exclude anyone who does not have a registered work contract, in other words those who are not wage workers and formal workers who contribute to social security and are protected by labour law.

In the context of the region's increased labour flexibility and informal labour markets, the template of protected (formal) employment should minimize the effects of occupational segregation, which are resolved in theory through collective bargaining or other forms of agreement among male and female workers and employers. However, there is seldom any redress for the discrimination implicit in labour regulations and codes themselves. This seems to point to a small (yet significant) link between the spheres of citizenship and the true scope of the principle of equal opportunities and treatment. Prior clarification is needed: law in general (and labour law in particular) reveals the constant tension between public-sector regulation and the liberal insistence on no State intervention in the private sphere (which should be free of its influence).

Strictly speaking, labour law straddles the conventional divide between public and private law, as it stands between the two and breaks with the principle of equality of contracting parties to establish that—in the light of the relationship of subordination inherent in labour relations—the worker requires special protection.²⁴ In addition, labour law involves a dichotomy between two different, competing values: the validity of the principle of equality among workers, but also the demand for differential regulation on the basis of certain assumptions. This dichotomy is particularly relevant to women's work, as it runs through the reproductive cycles and the social relationships that result from taking on family responsibilities combined with production responsibilities. This relationship is stretched to the point of affirming differences in order to demand equality.

Most labour codes and specific regulations in Latin America have addressed the dichotomy by prioritizing the protection of maternity rather than

equality—a situation that has not been reviewed for 30 years. Again, this option is not in keeping with the commitments made by States at international conferences, particularly in the context of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the conventions of the International Labour Organization (ILO) and national equal opportunity plans. It also disregards the content of the Convention on the Rights of the Child, which establishes the obligation that both parents should care for children. The limitations imposed by the very nature of normative discourse must therefore be recognized, and it must be accepted that not all inequality is discriminatory, since ensuring equality should not imply equal treatment for those in different circumstances.

However, the normative recognition of difference, which aims to provide genuine conditions for equal opportunities for women, does not consider the sexual division of labour in the household.

In other words, protection and regulations for women are related to a responsibility for the private sphere, rather than for the continual process of production and reproduction as the crux of any analysis of relations between men and women or the elimination of discrimination in the public sphere (Pautassi, Faur and Gherardi, 2004).

As long as wage employment and the resulting access to economic, social and cultural rights remain the stable pattern of integration in Latin America and the Caribbean, and while there is no change in patterns of access to citizenship, little can be done from outside the sphere of wage employment.

Care as a right is protected in international human rights instruments and undertakings by the region's governments. As early as 1948, Article 25(2) of the Declaration on Human Rights stated that “motherhood and childhood are entitled to special care and assistance”. If the principle of interdependence enshrined in the 1993 Vienna Declaration and Programme of Action is considered, the right to care (with individuals as care recipients and caregivers) can be seen as part of the series of universal rights enshrined in various international instruments, even though it is not explicitly described as such (Pautassi, 2007b).

As for older adults, General comment No. 6 of the Committee on Economic, Social and Cultural Rights (United Nations, 1995b) establishes that the economic, social and cultural rights of this vulnerable group dictate their right to care. Subsequently, older people's right to care was explicitly incorporated in Article 17 of the Protocol of San Salvador, which states that “everyone has the right to special protection in old age. With this in view the States Parties agree to take progressively the necessary steps to make this right a reality...” (OAS, 1988).

According to Article 11(2) and (2.c) of the Convention on the Elimination of All Forms of Discrimination against Women, “in order to prevent discrimination against women on the grounds of marriage or maternity and to

²⁴ Public law governs relations between the State or State departments and private individuals, while private law regulates relations among private individuals. From a gender perspective, the private sphere is the space and relations within the household, while the public sphere is the space, processes and relations that remain outside the household (Pautassi, 2007a).

ensure their effective right to work, States Parties shall take appropriate measures (...) to encourage the provision of the necessary supporting social services to enable parents to combine family obligations with work responsibilities and participation in public life, in particular through promoting the establishment and development of a network of child-care facilities...” (United Nations, 1979).

The Quito Consensus contains the action plan to which the region’s national governments have committed themselves. Specifically, they agreed “to adopt the necessary measures, especially of an economic, social and cultural nature, to ensure that States assume social reproduction, caregiving and the well-being of the population as an objective for the economy and as a public responsibility that cannot be delegated” (ECLAC, 2007a, paragraph xxvii). From a rights-based perspective, access to care is also related to access to justice.

The increased involvement of the law courts in promoting the fulfilment of human rights is linked to the swelling tide of opinion that economic, social and cultural rights have the same origin, holders and beneficiaries as civil and political rights. Sweeping

aside the traditional stance that supports the distinction between the two kinds of rights with arguments based on their effectiveness, enforceability and amenability, the idea that all human rights are demandable, indivisible, interdependent and universal has now gained ground. As a result, the State is forced to promote and protect human rights in their entirety, without the need to make distinctions between social rights and civil or political rights (Abramovich and Courtis, 2002).

This new paradigm, which illustrates the importance of the rights-based approach in terms of enforceability rather than simple guarantees, should not be thought of as separate from the obligation of the executive and the legislature to formulate universal public policies based on the inherent assumption that labour relations are necessarily and inextricably linked to social reproduction mechanisms. It must be remembered that these mechanisms are not self-regulating, but rather they need active policies and affirmative action to improve their functioning. A public policy cannot “save” a generation at the expense of increasing care responsibilities and placing them exclusively on the shoulders of women.²⁵

G. Bridging the gap between production and social reproduction

Unpaid work has major implications for the economy. Paying attention to the social reproduction activities carried out by women within the household facilitates an understanding of the dynamics of the relationship between production and wealth redistribution.

The political demand for the visibility of domestic work aims not only to reveal the relationship between reproductive work and social output, but also seeks to open a debate on the rules of distribution, means of production and the quality of the relationship between production and reproduction.

Despite some advances, this political debate is still at a very early stage. The lack of recognition for unpaid work in the functioning of the economy leads most countries to tackle inequality between men and women by implementing piecemeal programmes that do not take account of care requirements, and therefore do not deal with social redistribution.

The reconciliation of work with family life, as it is reflected in the redistribution of reproductive tasks among the State, the market and families, remains the blind spot of public policy in Latin America and the Caribbean. The measures adopted to reconcile family life and work must go beyond providing *crèches* or granting leave, as recognized in the Employment Equality Agenda and in resolution 54/4 adopted during the 54th session of the Commission on the Status of Women held in March 2010.²⁶ A State that steers in this

direction and reinforces existing initiatives in the region would create the conditions and capacities needed for productive development to rely unreservedly on the contribution of women who have achieved equality in education but who are still unable to overcome the obstacles that would give them increased labour mobility, a working life free from discrimination and full exercise of citizenship.

If it is assumed that production and reproduction pose the problem of articulating the employment system and the family, and that the latter has been the space from which women’s work has helped to realize people’s right to care, this tacit covenant in public policymaking needs to be made explicit, from the perspective of the rights of those who give and receive care.

In this framework, it is worth considering the State’s degree of protagonism. Throughout history, and particularly in recent decades, the State has been the subject of major reforms, as well as being a crucial actor in policies that have enabled women to progress towards equality. However, the State has also been responsible (actively or by omission) for the delayed and slow compliance with international commitments. The same questions then arise: What kind of State? What kind of equality? What is the levelling role being played by the State in this time of globalization and

²⁵ Serrano (2005) points out the importance of recognizing that, in order to meet the needs of children and young people, the same must be done for the adult generations who are responsible for their care.

²⁶ See [online] <http://www.un.org/womenwatch/daw/beijing15/index.html>.

crisis? To what extent should the State intervene in families and the market and what type of intervention do women expect? What are the region's governments doing and how are they doing it? What and how much remains to be done and how can the pace be stepped up?

As has been stated all too often, in some spheres Latin America and the Caribbean has the right legal framework to achieve equality between men and women (ECLAC, 2007b) and has implemented many initiatives to tackle the urgent problems of women. However, many questions remain: Are there policies for real equality? How is the full enjoyment of rights in the various spheres of development and democracy being encouraged? What has been the meaning of policies introduced in recent years and their effect on women's autonomy? To what extent has priority been given to public responsibility for the organization and provision of care?

Fifteen years after the adoption of the Beijing Platform for Action, the region still vacillates between formal acceptance of the principle of equality, the development of efficient and innovative policies and programmes, the insufficiency of resources allocated to State mechanisms for the advancement of gender equality and the political and cultural resistance of people and institutions to pay the economic, political and social price for this equality. The process of mainstreaming the gender perspective in public policies is still under way, with highs and lows alternating as part of the development process.

Without disregarding the substantial body of policies and programmes in the region that have contributed to the advancement of women, it is striking that social and political institutions continue to operate on the assumption of a strict sexual division of labour that maintains the stereotype of women as caregivers and men as breadwinners, with all the social effects that this division generates in terms of inequality and discrimination against women. At the level of ideas, this assumption enables the specific interests of the male collective to be considered universal, while gender policies (where they exist) are considered an annex or often run contrary to general policy (Montaño, 2010). Nevertheless, an analysis of these policies reveals some of the necessary conditions for achieving real equality.

Rather than defining the ideal State for achieving equality, it is possible to identify types of societies in which States are part of an ideal constellation for building equality.

The necessary conditions include, first, respect for, protection of and compliance with the international framework of human rights that enables the effective enjoyment of such rights. The following elements are also vital: (i) the formulation of productive development policies that include the redistribution of paid and unpaid work among men and women, and among the market, the State and households; (ii) transparent functioning of democratic institutions that in turn have dedicated accountability mechanisms; (iii) decision-making processes geared towards parity;²⁷ and (iv) a culture of respect for diversity with equality.

These characteristics may encourage the development of a series of actions and policies aimed at achieving equality, especially comprehensive and integrated policies linked together and structured on the basis of the gender perspective.

However, none of these conditions exempt countries from formulating and implementing specific policies to broadcast the social and political relevance of gender equality, provide resources and place it high enough on the political agenda. The mainstreaming of the gender perspective in many countries has provided significant lessons in this regard and points to the advantages of combining gender institutions capable of providing a space for dialogue among women's sectors and State actors, the market and society —as well as leading the incorporation of the equality-based approach into the priorities of various State powers and levels in the context of a consensual project of development with equality. Otherwise, if efforts come up against poor institutional structure and gaps resulting from discrimination and societies mired in prejudice, they are unlikely to be sustainable over time.

How can we build and lead such a constellation for equality? What is the starting point and which policy instruments should be used? The answers to these questions are the subject of the forthcoming chapters.

²⁷ Parity has been part of the regional agenda since the ninth session of the Regional Conference on Women in Latin America and the Caribbean held in Mexico in 2004, which was consolidated with the adoption of the Quito Consensus by the tenth session of the Conference in 2007.

Chapter II

The status of women

A. Gender equality 15 years on from Beijing

Only 15 years have gone by since the Fourth World Conference on Women (Beijing, 1995). From a historical perspective, this is short period of time for bringing about the profound cultural change sought by that meeting of Governments from around the world. The changes seen in the profile of gender relations in the region are therefore surprising: to date progress has been achieved in relation to the rights, equality, and political and economic leadership asserted by women. What comes as no surprise, however, is the heavy weight of the practices, ideas and structures that keep women in a subordinate position and which, together with the emergence of new inequalities, prevent progress in education, integration in the labour market and the participation of women in decision-making from leading to greater well-being (CEPAL, 2010b). The combination of accelerated change and resistance to change means that the path taken since the Conference has been characterized not by linear progress, but by ups and downs, detours and hurdles.¹

One of the main achievements in the last 15 years has been in relation to women's access to education. Despite persistent social inequalities, in 2005 the region had reached parity in education —although gaps remain in specific areas and population groups— and significant progress had been made with regard to the adoption of egalitarian legal frameworks, the creation and strengthening of mechanisms for the advancement of women, the preparation of plans and programmes

¹ For a more detailed report on the progress made in relation to the commitments undertaken at the Fourth World Conference on Women, see ECLAC (2009c).

for gender equality (especially in the social sector) and legislation to sanction domestic violence and guarantee the human rights of women.²

Women's participation in politics and access to decision-making has increased substantially, not only in terms of their participation in parliament (one of the highest rates in the world (ECLAC, 2010b), even though it was on average only 22.1% in 2010),³ but because of the more significant cultural changes that led to women's access to decision-making at the highest level in various countries, including Argentina, Chile, Costa Rica and Jamaica.⁴

As shown below, the political and cultural change apparent in the democratic election of female heads of State and the growing number of female candidates with election potential is significant considering that several decades had passed from the time women obtained the right to vote and the election of female heads of State.

Even though Ecuadorian women won the right to vote in 1929, Latin America had to wait 61 years to see its first female president elected by popular vote: Violeta Barrios de Chamorro in Nicaragua (1990). The first signs of progress appeared in the Caribbean, where Lucinda da

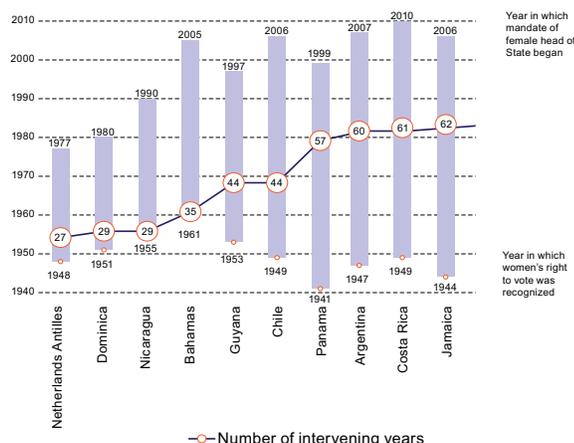
² See a full review of the outcomes and challenges in ECLAC (2009c).

³ See the information of the Gender Equality Observatory for Latin America and the Caribbean on the percentage of women in the main national legislative bodies [online] <http://www.cepal.org/oig/adiciones/#>.

⁴ The following were elected president: Michelle Bachelet in Chile (2006), Cristina Fernández in Argentina (2007) and Laura Chinchilla in Costa Rica (2010). Portia Simpson-Miller was elected Prime Minister of Jamaica (2006).

Costa Gómez-Matheeus was elected Prime Minister of the Netherlands Antilles in 1977. Janet Rosenberg Jagan became President of Guyana in 1997, at which point female presidents were no longer the exception to the rule as they had been in the past. In the case of Guyana, more than 40 years passed from when women were granted the right to vote in 1953 to when Janet Rosenberg Jagan assumed the presidency in 1997. Portia Simpson-Miller became Prime Minister of Jamaica 62 years after Jamaican women could participate in elections (ECLAC, 2007b).⁵

Figure II.1
LATIN AMERICA AND THE CARIBBEAN: UNIVERSAL SUFFRAGE AND THE ELECTION OF FEMALE HEADS OF STATE, 1940-2010



Source: Economic Commission for Latin America and the Caribbean (ECLAC), on the basis of information recorded at the Gender Equality Observatory for Latin America and the Caribbean, April 2010.

In the region, only five women have ever been elected president by popular vote. In Argentina, for example, 60 years passed from the time women first exercised their right to vote to a woman being elected to the highest office in the country.⁶ The same amount of time passed in Costa Rica before Laura Chinchilla Miranda was elected president.

This does not mean, however, that there is now an equal number of women and men in State decision-making processes. Nevertheless, the symbolic impact of these examples of female leadership on their countries' destinies is undeniable. Without a doubt, they represent a milestone inasmuch as they demonstrate that there is no position in public office that women cannot hold.

In the last few years, a number of machineries for the advancement of women have achieved higher status within their governments, with broader mandates, the adoption of equality laws, the implementation of gender-responsive budgeting and mainstreaming of the gender

perspective in planning systems. In some countries, such as the Bolivarian Republic of Venezuela, Brazil, Chile, Costa Rica, the Dominican Republic, Guatemala, Haiti, Honduras, Paraguay and Spain, these machineries have ministerial status, but in the smaller and less developed countries, and especially in the Caribbean, they are usually still part of ministries of social affairs and are associated with welfare or family-based programmes, without independent management or legislative initiative (Fernós, 2010).

As Lara (2010) has argued, it can be said today that equity and gender equality have become matters for the public domain and figure on governments' public policy agendas. Machineries for the advancement of women and their institutional policies have advanced towards more strategic visions of their mission and mandate.

There are great challenges to the institutionalization of gender within the State, since the new gender institutions in society and the State question traditional ways of conceptualizing and performing gender relations that fail to respect people's rights and self-determination, as well as ways of seeing development models, democracy and governance. Machineries created in highly unequal or fragmented societies, with weak, undemocratic or inefficient States—and even in some more modern States—are characterized by inertia and resistance to any change of the constructs that underlie policies, organizational culture and forms of management. They also tend to lack staff qualified for the task or with experience in gender policies. The action that these machineries can take in each countries will depend, then, on the nature of States, the relations between the State powers, legislation and administrative procedures, the concepts underlying the different policies and, above all, their own legitimacy, specialized knowledge of the subject and political authority.

An increasing number of countries have promulgated equality laws and institutional mechanisms for mainstreaming the gender perspective in recent years.⁷ Panama raised the profile and hierarchical position of its machinery for the advancement of women with the creation of a National Women's Institute, a decentralized body that is autonomous in its administration, budget and finances, methods and management, and is responsible for coordinating and implementing the national equal opportunities policy, which came into effect in 2009.⁸ In fulfilment of the Quito Consensus, Spain reported that, for the first time, the 2009 and 2010 budgets were accompanied by gender impact reports. In Guatemala an equitable opportunities plan for 2008-2023 was approved and implemented, whereby public institutions must mainstream equity policy in their institutional

⁵ See Inter-Parliamentary Union, "Women's Suffrage: A World Chronology of the Recognition of Women's Rights to Vote and to Stand for Election" [online] <http://www.ipu.org/wmn-e/suffrage.htm>.

⁶ María Estela Martínez de Perón was President of Argentina between 1974 and 1976 and Lidia Gueiler Tejada was President of the Plurinational State of Bolivia between 1979 and 1980, both by constitutional succession.

⁷ See Fernós (2010) and Lara (2010) for a more detailed analysis.

⁸ See national report prepared for the eleventh session of the Regional Conference on Women in Latin America and the Caribbean.

planning.⁹ In Brazil, as a result of the change in status of the Secretariat on Policies for Women, which went from being classified as a “special” secretariat to forming part of the structure of the Office of the President of the Republic as an “essential body”, the head of the Secretariat will join the Economic and Social Development Council, which is the national body responsible for proposing measures to promote growth. Thus, the machinery for the advancement of women in Brazil is joining the decision-making mainstream at State level.

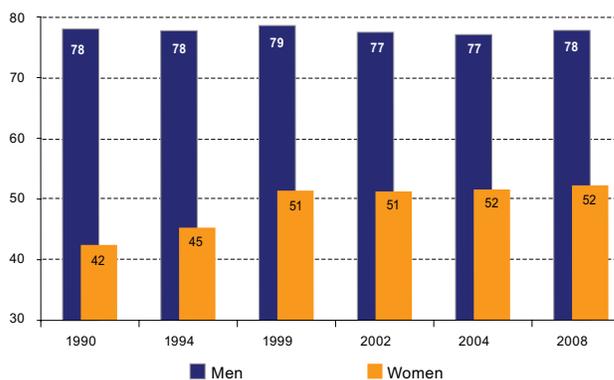
Another change that has had profound repercussions is the growth of the female economically active population (EAP), which rose from 42% to 52% between 1990 and 2008 in urban areas, while there was no increase in the male EAP, which remained around 78% (see figure II.2).

It is worth noting that the increase in the female EAP differs from one country to another and varies considerably within each country, according to age, level of education and socio-economic status. The percentage of economically active women ranges from 44% in Cuba to 57% in Brazil, while the rate for men varies between 67% in Cuba and 85% in Guatemala (ECLAC, 2010b).

Growth in economic participation has gone hand in hand with a continuous increase in women’s level of

education, which is now equal to that of men (except in some countries and geographical areas and, particularly, in the case of indigenous and Afro-descendent women).

Figure II.2
LATIN AMERICA (SIMPLE AVERAGE): ECONOMIC PARTICIPATION RATE IN URBAN AREAS, 1990-2008^e
(Percentages)



Source: Economic Commission for Latin America and the Caribbean (ECLAC), on the basis of special tabulations of data from household surveys from the respective countries.

^e The average for each year was calculated as follows: 14 countries for 1990; 15 countries for 1994; 16 countries for 1999; 17 countries for 2002; 16 countries for 2005; and 14 countries for 2008.

Box II.1 INDIGENOUS AND AFRO-DESCENDENT WOMEN

Categories and concepts such as race and ethnicity combine with gender to embed cultural and social systems of domination, thereby excluding large swathes of the population from the enjoyment of certain goods and services. Generally speaking, indigenous and Afro-descendent women have the fewest opportunities of access to jobs, land, education, health and justice. As well as exclusion and discrimination by the dominant part of society, they also face disadvantages with respect to men in their own communities.

Some of the region’s governments are taking steps to tackle these combined inequalities. For example, one of the priority strategies of the Presidential Secretariat for Women of Guatemala is to mainstream the gender perspective with a cultural focus. To this end, together with the Under-Ministry for Small and Medium-sized Firms, the Secretariat is working to boost production and business capacity and access to resources, goods and services for Mayan, Garífuna and Xinka women.

In Colombia, as part of the process of recognition, promotion and awareness-raising of the rights and culture of

ethnic minorities, under the 1991 constitution the Presidential Advisory Office on Gender Equity (CPEM) advocates the protection of the rights of indigenous and Afro-Colombian women and their involvement in the implementation of employment and enterprise schemes, as well as the political participation of these groups, education and culture and the elimination of violence against women. Established 15 years ago, the Rural Woman project in Panama, which targets rural and indigenous women, generates self-employment through the provision of microcredit and technical assistance. Similarly, the Executive Secretariat of the National Council for Afro-descendants was set up, which is responsible for matters relevant to Afro-descendent women.

Lastly, in Peru an equal opportunities law was passed in 2007, under which the executive power and local and regional government is called upon to promote the economic, social and political participation of rural, indigenous and Afro-Peruvian women and those from the Amazon region, as well as their involvement in decision-making in community organizations, associations, production groupings and so forth.

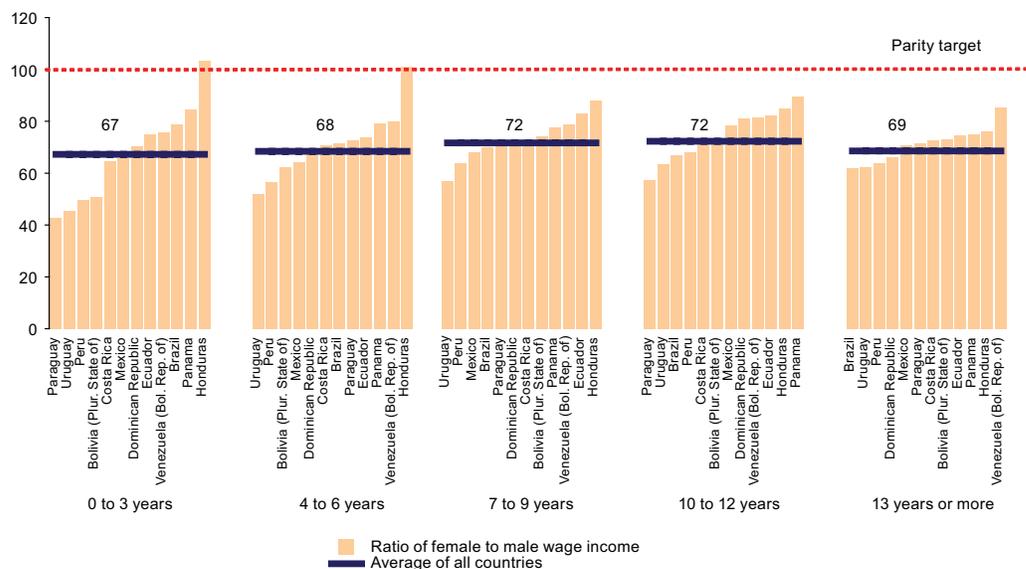
Source: Fabiana Del Popolo, Mariana López, and Mario Acuña, *Juventud indígena y afrodescendiente en América Latina: inequidades sociodemográficas y desafíos de políticas*, Madrid, Ibero-American Youth Organization (OIJ), November 2009; and country reports prepared for the eleventh session of the Regional Conference on Women in Latin America and the Caribbean.

⁹ National report prepared for the eleventh session of the Regional Conference on Women in Latin America and the Caribbean.

However, this educational attainment has not led to a corresponding increase in income or quality of employment for women. In all countries, a higher educational level is not reflected in a reduction in wage gaps. At the regional level, women with low levels of education receive the equivalent of 68% of male income,

and for women with high levels of education (13 years of schooling or more), that figure is only 69%. It would therefore appear that women with a medium level of education fare the best, even though they earn only 72% as much as men (see figure II.3).

Figure II.3
LATIN AMERICA (12 COUNTRIES): COMPARISON OF FEMALE TO MALE AVERAGE INCOME, BY YEARS OF SCHOOLING, AROUND 2008^a
 (Percentages)



Source: Economic Commission for Latin America and the Caribbean (ECLAC), on the basis of special tabulations of data from household surveys for the respective countries.

^a Refers to the difference in income for employed persons. This difference is the ratio of female to male average income, multiplied by 100.

Women’s economic participation is marked by inequality, discrimination and excessive working hours, which undermine the progress made. There remains a lot of ground to be covered before female and male economic activity will be on a par. In today’s world, the main source of monetary resources is paid work, whether an individual is an employee or self-employed. Knowing people’s situation in relation to the labour market is vital for appreciating whether they have or lack income. Employment also enables individuals to gain access to other benefits, such as social protection. Monetary income is considered such an important factor that it is used to define the poverty line, which is understood to be the minimum amount required to satisfy basic needs.

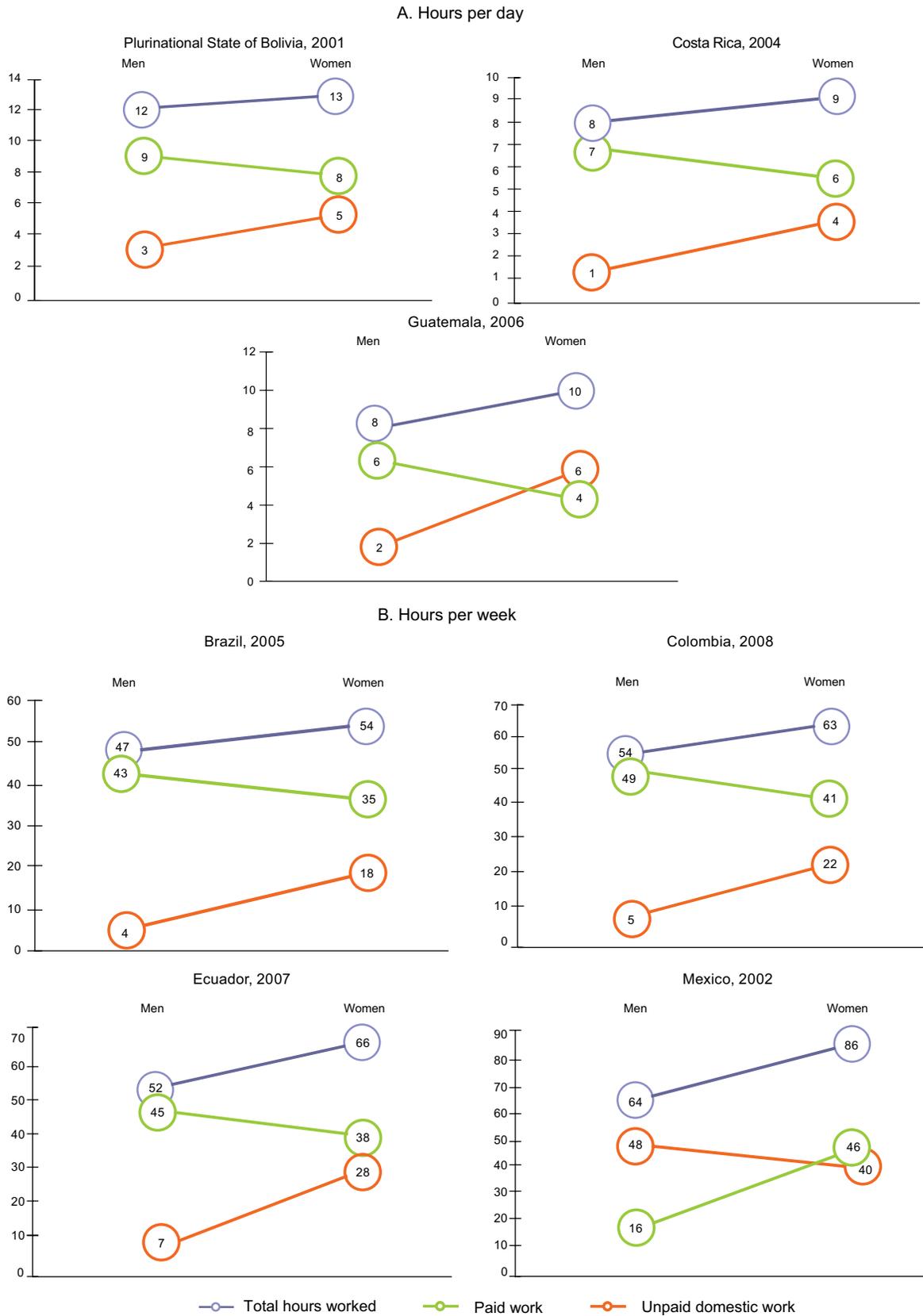
The harsh reality is that the excessive hours that women work are one consequence of their increased participation in the labour market. Generally speaking, women who take on paid work cannot reduce accordingly the amount of time they devote to work at home. Their partners, if they have one, do not take on their share of domestic and care work. The patterns of behaviour observed in terms of the time spent by women and men

are consistent. Total working hours (that is, the paid plus the unpaid working hours) put in by women are invariably longer than those of men. As regards paid work, however, men invariably have a longer working day than women (ECLAC, 2010b) There is no network of public services to carry out some of these tasks, and only individuals who are in a position to pay for such services are able to delegate. Even in that case, women continue to bear the responsibility for the home.

Studies measuring the total workload (paid and unpaid) of men and women in different countries in the region reveal the same pattern in all countries for which information is available.¹⁰ Even though the total number of hours women and men devote to unpaid domestic work and paid work may vary widely from one country to another, there are two fundamental trends: (i) in all cases, women work more hours overall than men, and (ii) in all cases, women devote more of their time to unpaid work (see figure II.4) (ECLAC, 2010c).

¹⁰ See Gender Equality Observatory for Latin America and the Caribbean [online] <http://www.cepal.org/oiig/>.

Figure II.4
**LATIN AMERICA (SELECTED COUNTRIES): TOTAL HOURS WORKED, TIME SPENT ON DOMESTIC WORK
 AND TIME SPENT ON PAID WORK, ECONOMICALLY ACTIVE POPULATION AGED 15 YEARS AND OVER, BY SEX**



Source: Economic Commission for Latin America and the Caribbean (ECLAC), on the basis of special tabulations of data from household surveys from the respective countries. Mexico, 2009: Economic Commission for Latin America and the Caribbean (ECLAC), on the basis of special tabulations of data from the national time-use survey (ENUT), 2009.

The total number of hours worked is linked to a long-term problem involving the changing profile and growing care needs of the population (ECLAC, 2009d). Although the demands associated with children's care needs have decreased because of reduced fertility rates,¹¹ more and more women are raising their children without the support of a partner or their extended family. This situation affects poor women to a greater extent as they tend to have more children.¹² In addition, fewer women devote themselves exclusively to unpaid work in the home than in the past.¹³ The need to provide care for older persons is increasing hand in hand with longer life expectancy and the ageing of the population. This is already a reality in some countries and will affect all countries eventually.¹⁴

The new care needs (of children, sick persons and older persons) mean that women, inevitably, can no longer be seen as the only ones responsible for care tasks. In order for societies to benefit from the paid work of women, a double-edged challenge will have to be met: men will have to share household responsibilities, and States, companies and institutions will have to develop practices, draft regulations and offer services that encourage the sharing of care responsibilities by all actors.

Another relevant issue to take into consideration is the fact that while there has been an overall drop in poverty in the region, women make up an increasing proportion of those living in poverty and indigence. Poverty and indigence rates had decreased over the last 15 years, prior to the global crisis. At the regional level, that decrease equalled about 10 percentage points. Women have contributed significantly in that regard in two ways: through paid work (including remittances sent by women migrants), which increases household income, and through unpaid work, leading to increased well-being that cannot be acquired in the market.

The crisis could, however, halt the downward trend in poverty rates. While the impact of this crisis on the

paid and unpaid work of women in Latin America and the Caribbean is still difficult to predict, since the political, social and economic realities vary significantly from one country to the next, the likely fall-out and the scale of repercussions may be gauged from certain indicators. According to studies prepared by ECLAC, the crisis will have a particularly strong impact on women in countries with a higher degree of trade openness, such as Mexico and the countries of Central America, whose exports are geared primarily to the United States market (Montaño and Milosavljevic, 2010). What is more, the extreme social inequality that persists in the region has a more profound and lasting effect on the most vulnerable sectors of the population. In the review carried out by the countries of the region 15 years after the adoption of the Beijing Platform for Action (ECLAC, 2009c), it was found that although the poverty rate had decreased, the same could not be said for inequality. If the gender dimension of this issue is taken into consideration, a telling paradox emerges: despite their contribution to the significant and sustained drop in poverty, female-headed households continue to be poorer than male-headed households (ECLAC, 2010b). While the poverty rate was falling, in most countries in the region there was a marked increase in the proportion of women in indigent families.¹⁵ These differences reflect the fact that women face poverty with a burden of social reproduction tasks that severely limits their options for earning their own income. In addition, they face discrimination in the labour market, which is even more pronounced if they are from certain ethnic backgrounds and live in rural areas.

Without their own income, women lack economic autonomy, which means that they depend on others, usually the partner or spouse. Separation or widowhood can put women at risk of poverty, even if they do not come from poor households. The fact that they have no earnings of their own is part of a vicious cycle in which a low family income, together with the sexual division of labour that prevails in society, restricts women to carrying out domestic tasks in their homes and prevents them from joining the labour market.¹⁶ In very few cases is this situation the result of a rational choice; more often than

¹¹ The total fertility rate in Latin America and the Caribbean is decreasing, and from 3.02 children in 1990-1995 it is projected to fall to 2.09 in 2010-2015. See ECLAC gender statistics [online] <http://www.cepal.org/mujer> on the basis of United Nations population databases (2008) and CELADE-Population Division of ECLAC (2008).

¹² In 1990, 22% of households in urban areas had female heads of household. The figure rose to 30% in 2008. Among indigent households, the percentage with female heads of household increased from 27% in 1990 to 40% in 2008 (ECLAC, 2009d).

¹³ Between 1994 and 2007, the percentage of women aged 15 or over who devoted themselves exclusively to the home fell by between 20 and 15 percentage points in countries such as Chile (from 40% to 20.1%) and the Bolivarian Republic of Venezuela (from 45.9% to 30.7%) and decreased by a small amount in countries where women were already well integrated into the economically active population, for example, Uruguay (from 16.5% to 16.3%). See ECLAC gender statistics [online] <http://www.cepal.org/mujer>.

¹⁴ Since the adoption of the Beijing Platform for Action in 1995, life expectancy in Latin America and the Caribbean has increased for both sexes by more than five years, rising from 68.9 years in 1990-1995 to 74.5 years for 2010-2015. See ECLAC gender statistics [online] <http://www.cepal.org/mujer> on the basis of United Nations population databases (2008) and CELADE-Population Division of ECLAC (2008).

¹⁵ See the rate of female indigence and poverty [online] <http://www.cepal.org/mujer>. In most countries in Latin America there was an increase in the rate of female indigence between 1994 and 2007, which rose by 2 points in the Plurinational State of Bolivia (108.2 to 110.3) and by more than 20 points in Costa Rica (from 135.9 to 157 in 2007, although it then decreased to 151.8 in 2008). A downward trend was observed in very few countries with a high level of poverty overall, for example, El Salvador (111.7 in 1995 to 96.7 in 2004), Honduras (106.7 in 1997 to 98.4 in 2007) and Nicaragua (104.1 in 1993 to 102.5 in 2005). In other countries, such as Mexico and the Bolivarian Republic of Venezuela, the changes have been more erratic.

¹⁶ The link between domestic activities (paid or unpaid) and the likelihood of women being poor is related to their not receiving any income or their working in some of the lowest paid jobs. At the regional level, a female domestic worker earns about 40% of the wages of women in other occupations (ECLAC, 2010b).

not it is imposed by the limitations and lack of mobility that affect women.

With regard to human rights, in the last few years very few legal innovations have been put forward compared with the first decade after Beijing, which was marked by an intense process of drafting legislation to guarantee equality between men and women. However, it is worth noting that several countries, for example, the Bolivarian Republic of Venezuela, the Dominican Republic, Ecuador and the Plurinational State of Bolivia, have included provisions in their constitutions that go beyond the principle of equality that is applied in most countries and have established a gender parity requirement. In the Caribbean, this process is still in its infancy, and a close analysis of the current legal provisions in those countries is required.

There are other initiatives that stand out due to the breadth of their scope and whose success can only bring

about profound changes. Around 2007, some countries adopted national legislation establishing equal rights in all areas, for example, Mexico, with the Gender Equality Act, and to a lesser extent, Nicaragua, Peru and Uruguay. In Spain, Law 3/2007, which seeks effective equality between men and women, and the Ministry of Equality are clear examples of efforts to mainstream the equality principle.¹⁷ Similarly, Spain's strategic equal opportunities plan for 2008-2011 is inspired by the two basic principles of non-discrimination and equality.

Laws or comprehensive policies on sexual and reproductive health were also adopted (see box II.2). Furthermore, a third generation of laws was passed in countries such as the Bolivarian Republic of Venezuela, Colombia, Costa Rica and Mexico aimed at tackling violence against women beyond the domestic sphere and guaranteeing the right to a life free from violence.

Box II.2 COMMITMENTS OF THE MINISTRY OF PUBLIC HEALTH OF URUGUAY

Under the first national plan on equal opportunities and rights, health is considered a pillar for equality and a public policy priority.

In accordance with Act No. 18,104 on creating the national equality plan (2007) and Act No. 18,426 on protecting the right to sexual and reproductive health (December 2008), the Minister of Public Health presented 10 future health commitments of the Government and highlighted the aim of providing health care to pregnant women through the national health insurance scheme. Those commitments are:

- Implement Act No. 18,426 on protecting the right to sexual and reproductive health nationwide
- Strengthen and expand the Advisory Committee on Sexual and Reproductive Health of the Ministry of Public Health
- Include a gender perspective in all the health programmes in the portfolio

- Study options for women with HIV/AIDS and female detainees
- Reduce the incidence of congenital syphilis, primarily by treating men who are infected
- Offer sexual and reproductive health-care services in all medical centres
- Provide training, run information campaigns and offer services relating to domestic violence
- Guarantee universal access to contraceptives
- Promote the organization of female service users and their participation in those services
- Work towards establishing a care system

In connection with the objective of setting up a care system, the Minister said that the Ministry of Public Health was committed to working with the Ministry of Social Development and the Social Cabinet with a view to attaining "an equitable distribution of responsibilities between the State, community and family, and between men and women".

Source: La República de las Mujeres, "Los diez compromisos del ministro Olesker", year 11, No. 78, Montevideo, 21 March 2010.

Despite the progress made in the recognition of women's rights in legal instruments, various difficulties have been encountered in terms of their implementation. There are clear problems when it comes to exercising

the equal rights that are supposed to be guaranteed by constitutions, laws and international instruments. This deficit has a serious impact on women's autonomy and the conditions of their daily lives, as will be shown below.

¹⁷ National report prepared for the eleventh session of the Regional Conference on Women in Latin America and the Caribbean.

B. Women's autonomy¹⁸

Women must have autonomy in their private and public lives if the exercise of their human rights is to be guaranteed. The capacity to earn their own income and control assets and resources (economic autonomy), the right to exercise control over their own body (physical autonomy) and their full participation in the decisions affecting their lives and their community (autonomy in decision-making) are the three pillars for building gender equality and advancing towards parity, as demonstrated and analysed in the Gender Equality Observatory for Latin America and the Caribbean.

What kind of State? What kind of equality? In order to answer these questions it is necessary to take into account realities in key areas for equality such as paid and unpaid work, time use, poverty, gender-based violence, the participation of women in decision-making spheres, health and sexual and reproductive rights.¹⁹ Not only does this information show differences between the sexes, which are very relevant for understanding the gaps, it also measures strategic elements relating to women's autonomy.

1. Economic autonomy

The subordination of women is apparent in the labour market, as reflected in the sexual division of labour and discrimination, which, given their limited physical and political autonomy, prevent women from making their own reproductive decisions, taking action to put a stop to violence against them and participating in public and private decision-making mechanisms. Differences in income and in the total number of hours worked reflect the prevailing gender inequality in the region.

¹⁸ This section has been made possible thanks to information from the Gender Equality Observatory for Latin America and the Caribbean [online] <http://www.cepal.org/oig>. At the tenth Regional Conference on Women in Latin America and the Caribbean (Quito, 2007), member States requested that a gender equality observatory should be set up. ECLAC was responsible, through its Division for Gender Affairs, for implementing the initiative, by coordinating its efforts with other United Nations agencies and cooperating with national mechanisms for the advancement of women and the national statistical institutions of the countries of the region. In the consensus adopted at that conference, the countries recognized that "parity is one of the key driving forces of democracy, that its aim is to achieve equality in the exercise of power, in decision-making, in mechanisms of social and political participation and representation, in diverse types of family relations, and in social, economic, political and cultural relations, and that it constitutes a goal for the eradication of women's structural exclusion".

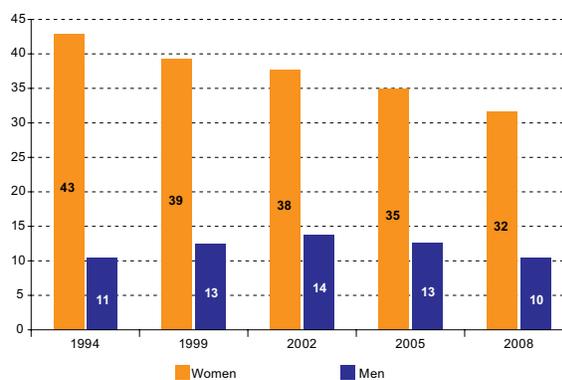
¹⁹ These indicators are from the Gender Equality Observatory for Latin America and the Caribbean and should be considered as additional and complementary to the Millennium Development Goal indicators and to those proposed at the Fourth World Conference on Women (Beijing, 1995).

(a) Population without incomes of their own²⁰

Being a wage earner gives individuals the power to make decisions on how their earnings should be spent, whether on household needs or personal expenditure. Dependants, who are most frequently children, older persons and women, do not have the same decision-making power in relation to income.

Figure II.5 shows that, although the percentage of women who do not earn their own income decreased by 11 percentage points between 1994 and 2008, the proportion of women who cannot support themselves is still considerable: just over one third of all women in urban areas and about 44% in rural areas. Most cannot earn their own income because their main activities are housework and care tasks in the home.²¹ By contrast, the percentage of men in the same situation has remained relatively stable at about 10%. This situation highlights the persistent vulnerability of women to poverty and inequality.

Figure II.5
LATIN AMERICA (SIMPLE AVERAGE OF THE COUNTRIES):
POPULATION AGED 15 YEARS AND OVER WITHOUT
INCOMES OF THEIR OWN, BY SEX,
URBAN AREAS, 1994-2008^a
(Percentages of the total for each sex)



Source: Economic Commission for Latin America and the Caribbean (ECLAC), on the basis of special tabulations of data from household surveys conducted in the respective countries.

^a Data from the following countries were taken into consideration: Argentina, Brazil, Chile, Colombia, Costa Rica, Ecuador, El Salvador, Honduras, Mexico, Nicaragua, Panama, Paraguay, Plurinational State of Bolivia and Uruguay (1994); Argentina, Brazil, Chile, Colombia, Costa Rica, Ecuador, El Salvador, Honduras, Mexico, Panama, Paraguay, Plurinational State of Bolivia and Uruguay (1999); Argentina, Brazil, Chile, Colombia, Costa Rica, Dominican Republic, Ecuador, El Salvador, Guatemala, Honduras, Mexico, Panama, Paraguay, Peru, Plurinational State of Bolivia and Uruguay (2002); Argentina, Brazil, Chile, Colombia, Costa Rica, Dominican Republic, Ecuador, El Salvador, Guatemala, Honduras, Mexico, Panama, Paraguay, Peru, Plurinational State of Bolivia and Uruguay (2005); and Argentina, Brazil, Chile, Costa Rica, Dominican Republic, Ecuador, Guatemala, Honduras, Mexico, Panama, Paraguay, Peru, Plurinational State of Bolivia and Uruguay (2008).

²⁰ Men and women who do not earn a monetary income and who are not studying as a percentage of the total non-student male and female populations aged over 15 years.

²¹ An individual's total income is calculated by adding together the following sources of income: salaries, wages and labour earnings of self-employed workers, retirement benefits and pensions, intra- and inter-household transfers, and State benefits. Other income, for example from fixed-term investments and property income, is also taken into consideration (see [online] <http://www.cepal.org/oig/aeconomica/>).

(b) Total work time²²

The women in the EAP devote a significant number of hours per day to paid work and unpaid domestic work, the sum of which is usually referred to as total workload (Milosavljevic, 2007). The data for 12 Latin American countries that have carried out time-use surveys since 1998 show, in all cases, that not only do women devote more time than men to unpaid domestic work, but their total workload is much greater, even when they spend fewer hours on paid work. This has a negative effect on their access to income.²³ Even taking into account the different domestic tasks taken on by men (for example, home repairs, carrying water and paperwork (Milosavljevic and Tacla, 2007), it is clear that the increase in women's total workload is due to the low participation rate of men in domestic tasks.

2. Physical autonomy

The fact that autonomy is achieved by exercising decision-making power and capacity in relation to one's own life throws into relief the connections between having the capacity to take decisions regarding sexual life, physical integrity and income and assets. In order for women to escape from poverty and attain economic autonomy, their bodies must be respected in various senses, in particular they should not be subject to any form of economic, sexual, physical or psychological abuse. In order to achieve autonomy, women need to exercise control over material goods and intellectual resources and, above all, they need resources to confront the ideologies and beliefs that perpetuate discrimination (Wieringa, 1997; Batliwala, 1997). The sex/gender system presents a series of obstacles, which tend to relate to sexuality, especially the reproductive dimension, that limit women's physical autonomy and their autonomy on other levels.

(a) Adolescent maternity²⁴

Over the past 15 years, adolescent maternity has been considered one of the most serious problems in the region. Despite the drop in fertility rates in a large proportion of the countries of the region, the number of unplanned pregnancies among adolescents (aged between 10 and 19 years) and even among children is indicative of the difficulties associated with preventing unplanned pregnancies: lack of access to contraception, lack of access to appropriate services, legal incapacity to make decisions on prevention, dependency on parents for access to services, lack of sex education and lack of power to negotiate contraception with the partner, parents or health-care services.

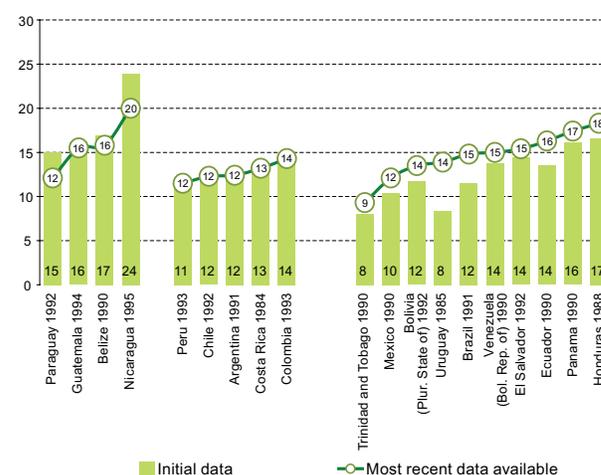
²² This indicator represents all work carried out, regardless of whether it is paid or unpaid.

²³ See the summary of the time-use surveys in Argentina, Brazil, Chile, Colombia, Costa Rica, Cuba, Ecuador, Guatemala, Mexico, Nicaragua, the Plurinational State of Bolivia and Uruguay on the website of the Gender Equality Observatory for Latin America and the Caribbean (2010).

²⁴ Percentage of adolescent women aged from 15 to 19 years who are mothers.

According to the Gender Equality Observatory for Latin America and the Caribbean, in Trinidad and Tobago approximately 1 in 10 women aged between 15 and 19 years is a mother, while in Nicaragua, the figure is 2 in 10.²⁵ The situation in Chile, Mexico, Paraguay and Peru is similar, with percentages close to 12%, while in other countries, such as Belize, the Bolivarian Republic of Venezuela, Colombia, Guatemala and El Salvador, the percentages are close to 15% (see figure II.6). While this phenomenon is increasing gradually overall, the increase among adolescents with less schooling, in rural areas and areas of displacement is striking. In 2005 in Colombia, more than a third of displaced women between the ages of 15 and 19 years were mothers or pregnant, whereas the same was true for 63% of 19-year-old women (Profamilia, 2005).²⁶

Figure II.6
LATIN AMERICA AND THE CARIBBEAN (19 COUNTRIES):
MATERNITY AMONG WOMEN AGED BETWEEN 15 AND
19 YEARS OVER A PERIOD OF APPROXIMATELY
10 YEARS
(Percentages)



Source: Economic Commission for Latin America and the Caribbean (ECLAC), on the basis of information recorded by the Gender Equality Observatory for Latin America and the Caribbean [online] www.cepal.org/oig.

^a The most recent data available are from: Argentina, 2001; Belize, 2000; Bolivarian Republic of Venezuela, 2001; Brazil, 2000; Chile 2002; Colombia, 2004-2005; Costa Rica, 2000; Ecuador, 2001; El Salvador, 2007; Guatemala, 2002; Honduras, 2001; Mexico, 2000; Nicaragua, 2005; Panama, 2001; Paraguay, 2002; Peru, 2007; Plurinational State of Bolivia, 2001; Trinidad and Tobago, 2000; Uruguay, 1995.

(b) Maternal mortality²⁷

Over the past 15 years, the decrease in maternal mortality ratios has not been sufficient to meet the targets set under the Millennium Development Goals²⁸ and is inconsistent with current development levels. This situation is indefensible given the progress made in terms of knowledge, technology and capacity to meet development

²⁵ See [online] <http://www.cepal.org/oig>.

²⁶ According to data from the National Demographic and Health Survey 2005.

²⁷ Maternal deaths per 100,000 live births.

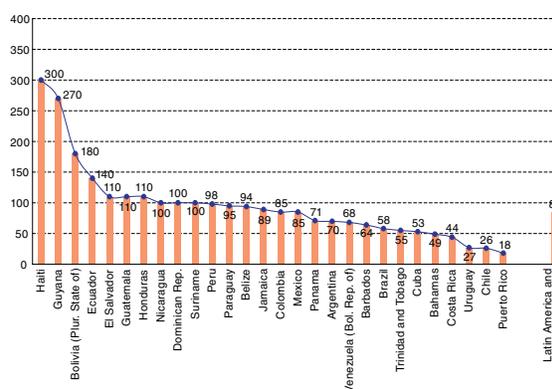
²⁸ Target 5A of the fifth Millennium Development Goal is to reduce by three quarters, between 1990 and 2015, the maternal mortality ratio. After 15 years it has decreased by only about 25%.

challenges.²⁹ The data available at the regional level indicate a drop in the maternal mortality ratio, which decreased from 140 per 100,000 live births in 1990 to 85 per 100,000 live births in 2008.³⁰ The figures from 2008 for this indicator make it possible to appreciate the different realities in the region: the countries and territories with maternal mortality ratios of under 30 per 100,000 live births include Chile, Puerto Rico and Uruguay; Ecuador and the Plurinational State of Bolivia have rates of over 130 deaths per 100,000 live births; and Guyana and Haiti have very high rates of over 250 deaths per 100,000 live births (indeed the ratio in Haiti is almost 300 deaths per 100,000 live births) (see figure II.7).

The maternal mortality rate is all the more tragic given that most deaths take place in health-care institutions and are the result of a long chain of circumstances that include: low levels of schooling, belonging to an ethnic group, lack of timely access to preventive services, substandard institutional care, lack of properly trained staff, and, at the heart of it, inequality and discrimination against women, which perpetuate their lack of power to

take informed decisions and act accordingly. In Cuba, maternity homes distributed in different municipalities guarantee comprehensive reproductive health care for pregnant women with ongoing special health-care needs, in order to minimize the risk associated with pregnancy and childbirth.³¹

Figure II.7
LATIN AMERICA AND THE CARIBBEAN (28 COUNTRIES):
MATERNAL MORTALITY, 2008^a
(Per 100,000 live births)



Source: United Nations Children's Fund (UNICEF), see [on line] <http://childinfo.org>.

Box II.3 SYSTEMATIC POLICIES FOR COMBATING DISCRIMINATION

Since 1997, Saint Vincent and the Grenadines has been providing State support to adolescent mothers to enable them to pursue their secondary education. In 2000, the Government criminalized acts of domestic violence and in

2008, it incorporated the crime of sexual harassment. This attests to the Government's concern over the problem of violence against women and its determination to eradicate it.

Source: United Nations, Department of Public Information, Communiqué on the fifty-fourth session of the Commission on the Status of Women (WOM/1784), New York, 2010.

(c) Unmet demand for family planning³²

The same underlying inequality is the reason why the demand for family planning is not satisfied. This deficiency is particularly marked in countries with the highest maternal mortality rates. In the Plurinational State of Bolivia, more than 2 in every 10 women (22.7%) have expressed a desire to use contraception, without success; in Guatemala that figure is almost one third (27.6%); while in Haiti it is 4 out of 10 (39.8%). By contrast, countries with lower maternal mortality rates have high rates of modern contraceptive use: Colombia is one such country, with only 5.8% unmet demand.

²⁹ According to figures from the World Health Organization (WHO), the United Nations Population Fund (UNFPA) and the United Nations Children's Fund (UNICEF) collated by the Gender Equality Observatory for Latin America and the Caribbean [online] <http://www.cepal.org/oig/>.

³⁰ The estimates from 1990 were revised using the same methodology as for 2008, which made it possible to do a comparison at the regional level in Latin America and the Caribbean (WHO, 2008, p.18).

³¹ See country report prepared for the eleventh session of the Regional Conference on Women in Latin America and the Caribbean.

(d) Women's deaths at the hands of their intimate partner or former partner³³

Violence against women is an extreme form of domination and wielding power. Femicide is the death of a woman at the hands of her intimate partner or former partner, however, in many countries, it is not classed as an offence in the criminal code. In Colombia, for example, the issue was the subject of a debate in the Congress of the Republic when Act No. 1257 of 2008 was being passed and there was a decision to include aggravating circumstances. In order to combat femicide there must be a reconciliation of work and family life grounded in a respect for the three pillars of individual autonomy. The negotiation of

³² Percentage of women in couples (married or not) who do not wish to have more children, or who would postpone the next birth, but who are not using a method of family planning.

³³ Number of women aged 15 years or over who die at the hands of their intimate partner or former partner and rate of deaths attributable to this cause per 100,000 inhabitants.

women's autonomy has, to date, been between women and their partners, and State institutions have been particularly ineffective in protecting the physical integrity of many women. Violence and death are the culmination of a long chain of discrimination and silence that begins with lack of economic autonomy (lack of income and time) and autonomy in decision-making (insufficient resources to face up to the consequences of autonomous decisions) and that can be addressed only through public policies (ECLAC, 2009b). The lack of guarantees and failure to enforce legislation make it difficult for victims to prevent or bring to an end their relationship with a violent partner. According to qualitative studies, many women delay reporting violence and do not dare to take action to put a stop to it because they lack economic autonomy and are poor, which perpetuates the vicious cycle of violence and inequality (ECLAC, 2009b). The region has at its disposal – at the international level – the Convention on the Elimination of All Forms of Discrimination against Women (1979), whose Committee recognizes that violence against women is a manifestation of the historically unequal power relations between men and women, and whose recommendations to governments are geared specifically towards highlighting their discriminatory nature.

At the inter-American level, the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women (also known as the Belém do Pará Convention) and its Follow-up Mechanism (MESECVI) have inspired legislative changes in almost all of the countries of the region, giving rise to specific legislation or amendments to criminal codes that punish domestic violence and sexual offences (ECLAC, 2007c). Since 2005, a second generation of legislation has been passed to make up for shortfalls in the application of the initial legislation and to cover violence outside the family setting, such as that inflicted in the public sphere, in relation to migration, in conflict situations and in connection with trafficking in persons. For example, in Colombia, Act No. 1,257 to tackle violence against women was adopted in 2008. Government policies and programmes relating to public health and training for justice officials were also put in place. In order to eradicate gender-based violence, progress has to be made towards public policies that emphasize the State's duty to be diligent in protecting women against violence (United Nations, 2006b).

Discrimination is the origin of violence (domestic abuse, for example, is an extreme manifestation of the exercise of an authority that is considered to be legitimate). The forms and manifestations of that violence are manifold: intimate partner violence, violence against girls and adolescents, violence within the community, sexual harassment in the workplace, trafficking in women, institutional violence, violence against migrant women, violence against indigenous and Afro-descendent women, violence against women during armed conflicts, femicide at the hands of an intimate partner and femicide in the public sphere (ECLAC, 2009b).

According to data from five countries of the region on which information is available, in 2009 289 women were killed by their intimate partner or former partner. The numbers were 117 in Peru; 79 in the Dominican Republic; 52 in Chile; 27 in Paraguay and 14 in Costa Rica. The countries with the highest number of female victims as a proportion of the total population are, in descending order, the Dominican Republic, Paraguay and Peru. The total number of violent deaths of women reflects the seriousness of the problem in the region and points to a type of gender-based violence against women purely because they are women and which is possible because of their subordinate position and the fact that they have less power in relation to men. It also shows that such killings are not isolated events and that they should be recorded more systematically. Coordination between State bodies and civil society is needed to establish a clearer definition of this crime.

3. Autonomy in decision-making

The past 15 years have been important in terms of women's access to political and public policy decision-making. The participation of women in legislative bodies has increased in almost all countries in the region, in large part because of affirmative action, in particular, quota laws. Although the regional average participation of women has increased, it is still lower than the minimum required by the laws in force. This is due, in part, to the failure to impose the sanctions provided for. Other factors also come into play, such as compatibility of the respective legislation with the electoral systems, women's access to funding and parties' internal practices that limit the impact of these measures. What is more, at the municipal level, the representation of women is 8% or lower.

The change in mentality that has taken place with respect to the participation of women is reflected in the two surveys of opinion leaders carried out by the ECLAC Division for Gender Affairs, which show that the majority accept female participation and the laws establishing quotas, and that for the region's elites, the process towards gender parity in politics is under way and perhaps irreversible.³⁴ In general, leaders support the aim of gender parity in politics and its most well-known instruments, including affirmative action and laws establishing quotas.

At the same time, most of the men and women surveyed think that the increase in the proportion of women has contributed to making the democratic system more representative. The responses show that the political elite do not believe that the deliberate pursuit of gender parity in politics threatens democracy or promotes confrontation between men and women, and they maintain that representatives are elected to public office on their own merits.

³⁴ See Gender Equality Observatory for Latin America and the Caribbean [online] <http://www.cepal.org/oig>.

(a) Women in the executive branch of Government

In most countries of the region, there are fewer women than men in the executive branch of Government. Although the figure is higher in some countries, for example, Grenada (54.5%) and Spain (50%), where women and men are balanced in ministerial cabinets, in Argentina, Ecuador and Peru women make up almost 30% of the executive branch.³⁵ In 2009 in Colombia, the representation of women in the executive branch exceeded the minimum quota of 30%. In 2009, electoral code legislation was approved in Costa Rica,³⁶ whereby political participation is governed by the principle of parity (43% of the existing cabinet are women). In the first cabinet appointed by President Bachelet of Chile in 2006, women represented 48%. The lowest levels of women’s representation can be seen in the Bolivarian Republic of Venezuela, Brazil, the Cayman Islands, the Dominican Republic, Haiti, Jamaica and Puerto Rico, with less than 15%.

The presence of women in the executive is completely dependent on the head of State’s commitment to gender parity in politics.

(b) Women in the legislative branch of Government

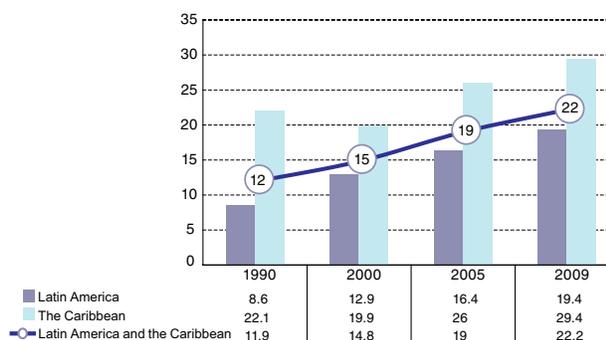
The data available up to 2010 show that the percentage of women in parliaments in the region has grown over the last 10 years. Nevertheless, the percentage remains low for the region, at only 22.2%. Between 2005 and 2009 there was a slight increase of 3.2%. The highest levels of participation have been recorded in the Caribbean where women made up between 22.1% and 29.4% of parliamentarians between 1990 and 2009 (see figure II.8). In view of these trends, achieving parity remains a challenge and gender equity is still a long way off.

The continuing male majority in parliaments is evidence of the need to continue developing mechanisms to reduce the entrenched obstacles that prevent women from taking on positions of political leadership. Women have yet to achieve half the level of political participation of men. In 2009, in 5 of the 33 countries for which data are available, women represented less than 10% of all parliamentarians and in only 4 countries did they make up more than 30% (Argentina, Costa Rica, Cuba and Guyana). Only Argentina and Cuba cross the 40% threshold (see figure II.9). Indeed Cuba has one of the highest proportions of female parliamentarians in the world (43%). At the same time, in 54% of the countries of the region, the proportion of women parliamentarians is below the world average (ECLAC, 2010b).

³⁵ Ibid.

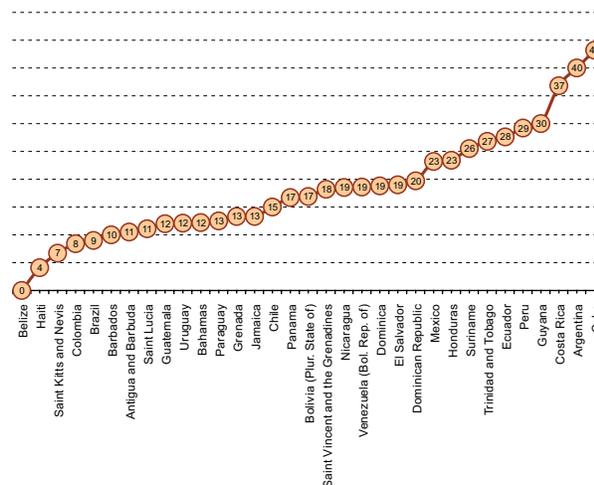
³⁶ Although the information for Costa Rica is not yet online in the Gender Equality Observatory for Latin America and the Caribbean, under the presidency of Laura Chinchilla, women form 43% of the ministerial cabinet, according to the country’s report to the eleventh session of the Regional Conference on Women in Latin America and the Caribbean.

Figure II.8
LATIN AMERICA AND THE CARIBBEAN: PROPORTION OF SEATS HELD BY WOMEN IN NATIONAL PARLIAMENTS
(Percentages)



Source: United Nations, Millennium Development Goals indicators database [online] <http://millenniumindicators.un.org>, 2009.

Figure II.9
LATIN AMERICA AND THE CARIBBEAN: PROPORTION OF WOMEN IN THE MAIN NATIONAL LEGISLATIVE BODY, AROUND 2009
(Percentages)



Source: Gender Equality Observatory for Latin America and the Caribbean [online] <http://www.cepal.org/oig/>, 2009; United Nations Millennium Development Goal indicator database [online] <http://millenniumindicators.un.org>, 2009.

(c) Laws establishing quotas

Starting in 1991, several laws establishing quotas were enacted in the region. Argentina saw the passage of the first of this type of legislation. Called the Women’s Quota Law, it sets forth a series of amendments to electoral codes. A special senate commission created in 2008 has the power and the mandate to incorporate the gender dimension into the preparation and approval of draft legislation. Thirteen Latin American countries now have laws requiring the registration of women candidates for congressional elections. However, only 6 countries have requirements on the ranking of women candidates on candidate rosters, and only 10 explicitly set forth sanctions

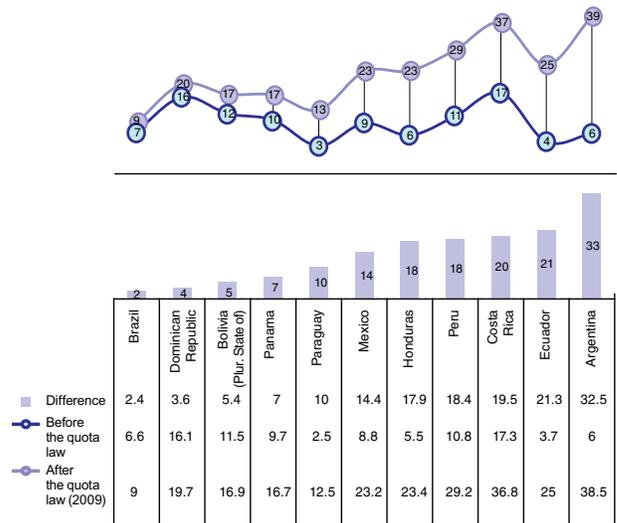
for non-compliance. Moreover, electoral bodies are not always given clear powers to enforce sanctions.

Quota laws in Latin America set out the percentage of registered candidates with a possibility of being elected who must be women. In addition, political parties are required to amend their by-laws so as to bring regulations regarding decision-making and governing bodies into line with candidate roster regulations. In each country, the number of women in decision-making spheres has increased as a result of political parties' obligation to ensure that between 20% (in the case of Paraguay) and 50% (in the case of Ecuador, which has legislated parity) of registered candidates are women. In Ecuador, furthermore, among the legislation most relevant to this issue is the Organization Act on elections and political organizations adopted by the National Assembly in 2009. This Act not only governs the application of the principle of parity, but also prohibits individuals who have committed gender-based violence or failed to pay child support from standing as candidates.

Interestingly, legal initiatives were introduced by some countries in the 1990s, and in the 2000s several countries made gradual changes to their electoral codes. Uruguay approved a quota law in 2009 that will take effect in 2014, and the Bolivarian Republic of Venezuela introduced regulations to its electoral authority by which 50% of the candidates to the regional legislative councils in November 2008 were required to be women. In the Plurinational State of Bolivia, article 278 of the Constitution provides that the principles of parity and gender alternation must be taken into account. In Ecuador, articles 61 and 65 of the Constitution establish the principle of parity in appointment to public office. Colombia's quota law has helped to increase women's participation both in the national cabinet and in departmental and municipal cabinets. In Costa Rica, Law No 8765 of 2009 established the principle of parity in political participation. In Panama, the National Forum for Women in Political Parties is part of the Commission for Electoral Code Reform, which is responsible for following up on and monitoring the application of the electoral quota of women in political parties and to promoting political parity in elections, in accordance with the electoral reform of 2006, which established that women must make up 30% of candidates for positions within political parties and in elections.

As a result of these reforms, the number of women in congress jumped by more than 30 percentage points between 1990 and 2009 in Argentina and by 20 percentage points in Costa Rica, followed by an increase of 14 in Mexico, 21 in Ecuador and 18 in Peru (see figure II.10).

Figure II.10
LATIN AMERICA (11 COUNTRIES): DIFFERENCES
IN CONGRESSIONAL REPRESENTATION AFTER
ENACTMENT OF QUOTA LAWS
(Percentages)



Source: Economic Commission for Latin America and the Caribbean (ECLAC), on the basis of information from the Gender Equality Observatory for Latin America and the Caribbean, April 2010.

(d) Judicial branch

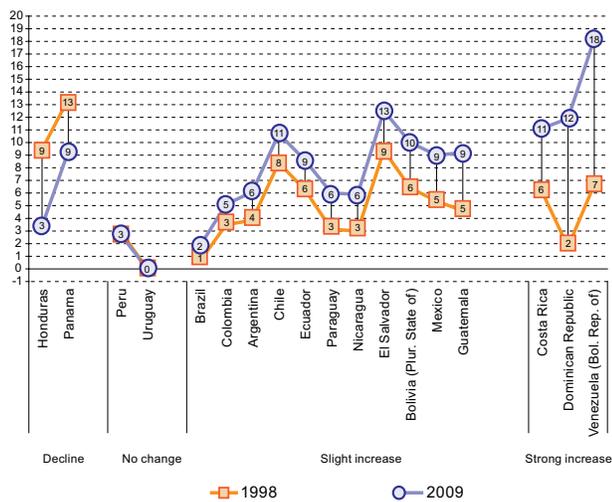
Women's representation in the highest judicial bodies rose from 8% to 19% over the last decade, although this figure has remained unchanged over the last four years. This is significant, given the composition of supreme courts and the fact that in several countries judges are replaced slowly, and only after holding their positions for long terms, or, in some cases, for life.³⁷ In Suriname, the Supreme Court comprised 1 woman and 10 men in 1998, while in 2010 there are 10 women and 9 men.

(e) Local governments

Regarding women's representation in local governments, the average percentage of elected mayors who are women rose slightly, from 5.1% to 7.8%, between 1998 and 2009. Here the outlook is less than encouraging. At the individual country level, there were small increases —of not more than 4 percentage points— in 11 countries, while there was no change in Peru and Uruguay, and the percentage in Honduras and Panama declined. Only in the Bolivarian Republic of Venezuela and the Dominican Republic did the number of women mayors increase by at least 10 percentage points (see figure II.11).

³⁷ Economic Commission for Latin America and the Caribbean (ECLAC), on the basis of information submitted by the Governments to the Gender Equality Observatory for Latin America and the Caribbean [online] <http://www.cepal.org/oig>.

Figure II.11
CHANGE IN PROPORTION OF WOMEN MAYORS, 1998-2000
(As a percentage of the total number of mayors)



Source: Economic Commission for Latin America and the Caribbean (ECLAC), on the basis of information from the International Research and Training Institute for the Advancement of Women (INSTRAW for the Gender Equality Observatory for Latin America and the Caribbean).

All of the countries have similar gaps between the number of women mayors and the number of women city council members, with fewer women holding positions at the highest decision-making levels. This is because mayors control much more resources and have more power to make decisions, whereas city council members wield much less influence. In addition, in some countries the increased presence of women on city councils has been the result of various affirmative-action policies carried out at that level.

As noted, although in most of the countries women have a low degree of representation in decision-making positions, they now have a stronger presence in some positions, in some countries. The quotas established in the 1990s have had not only a quantitative but also a symbolic impact, as evidenced by the election of two women presidents in the Southern Cone and, more recently, by the election of a woman president in Costa Rica. Still, men continue to hold a majority of positions of power, and there is no guarantee that women's presence will remain, over time, at the current level.

Chapter III

Women and paid work

In the 1990s, Latin American and Caribbean countries integrated into market globalization by liberalizing their economies and limiting State intervention. This was a response to the events that had marked the 1980s and had been used to impose the paradigm of a free market: external debt, hyperinflation and macroeconomic instability. Nevertheless, although hyperinflation was brought under control and there were notable improvements in the way government finance was managed and in fiscal savings, the social progress expected was not achieved.

Between 1990 and 2009, the economies of the region were affected by the external shocks caused by cyclical fluctuations in capital flows owing to a “premature, indiscriminate and poorly sequenced liberalization ...” (ECLAC, 2010a, p. 66). Instability, combined with the scarcity of capital and exacerbated by procyclical macroeconomic policies, played an important role in the lack of dynamism in productive investment compared with the capital formation levels reached in the 1970s (18.4% in 1990 compared with 23.5% in 2008). Ultimately, it also led to relative stagnation in the global productivity of a large number of economies in Latin America and the Caribbean.

In the long term, another obvious factor is the lack of industrial policies, which made it difficult to overcome the deep-rooted structural heterogeneity, in which productivity gaps had been a structural feature of Latin American development from the 1960s onwards.¹

¹ Structural heterogeneity has two interrelated facets, one internal and the other external. The internal gap concerns the broad differences in productivity between various sectors of activity and within them, as well as between companies. The external gap reflects the asymmetries between the region’s technological capabilities and those of developed economies.

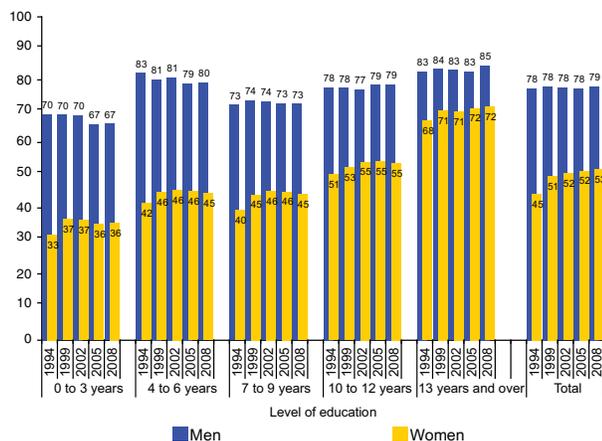
These “gaps in productivity reflect, as well as reinforce, gaps in capabilities, in the incorporation of technical progress, in bargaining power, in access to social safety nets and in options for upward occupational mobility throughout working life” (ECLAC, 2010a, p. 86). They are, therefore, decisive in the design and dynamism of the wage-earning labour market and independent work.

In fact, between 1990 and 2008, sectors in the region with low productivity —agriculture, construction, trade and community and personal services— employed the majority of the labour force (71.5%), while those with high productivity —mining, energy and finance— employed approximately 7.5%. Jobs in sectors with medium productivity —industry and transport— accounted for 20.8% of total employment (ECLAC, 2010b).

Business’ productivity has implications in terms of remuneration, working conditions and access to social protection. In sectors with low productivity, wages, as well as the amount earned by independent workers, are lower than in those with high productivity.

In recent decades, the level of women’s participation has been more closely linked to their years of study than is the case for men. The higher the level of women’s education, the higher their rate of participation and the less the difference with the male economically active population (EAP). In 2008, the female EAP reached its maximum level with 13 or more years of education, even though it was 13 percentage points below the figure for the male EAP. This underlines the importance of education for women’s access to paid work, a situation that does not affect men in the same way (see figure III.1).

Figure III.1
**LATIN AMERICA (SIMPLE AVERAGE OF THE COUNTRIES):
 RATE OF PARTICIPATION BY MEN AND WOMEN IN
 ECONOMIC ACTIVITIES, BY NUMBER
 OF YEARS OF EDUCATION,
 URBAN AREAS, 1994-2008^a**
 (Percentage)



Source: Economic Commission for Latin America and the Caribbean (ECLAC), on the basis of special tabulations of household surveys conducted in the respective countries [on line] www.ECLAC.org/mujer.

^a The average for each year was calculated as follows: 15 countries for 1994; 16 countries for 1999; 17 countries for 2002; 16 countries for 2005; and 14 countries for 2008.

From the point of view of women workers' rights, the tendency was to achieve a breakthrough in paid work—constrained by the special features of development in the region—and in maternity leave coverage as a minimum requirement for women's integration into the public labour market. The importance of both achievements cannot be denied, even though it is necessary to emphasize the distortions created because of the structure of the labour market, the nature of labour institutions and the persistence of unpaid work as a task mainly for women. Most women work in the informal sector and for many of them, motherhood can be an obstacle.

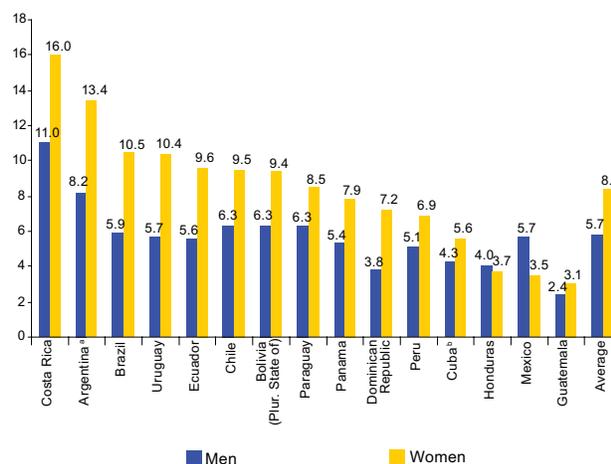
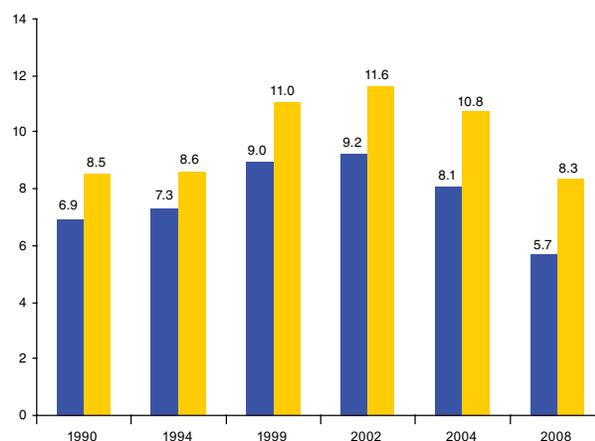
A number of countries created measures and programmes geared towards improving women's employment position. In Argentina a tripartite commission on equality of work opportunities between men and women was formed in 1999 and relaunched in 2009, and Colombia has created an unemployment benefit, an affirmative action scheme for job creation and enterprise development, a programme for businesswomen and an agenda for equality in the workplace.

Women have been incorporated into the labour market at a time of demographic change (fewer children, ageing population), insufficient provision of public care services by the State, the high cost of paying for care and less readiness by social and family networks to provide care. This means that women have had to take more flexible and informal jobs such as part-time work (28% of women employed compared with 16% of men) or work in the home where they are subject to outsourcing chains. In

such circumstances, the lack of job opportunities makes it difficult to earn any income and this in turn prevents access to care services that would allow work and family life to be combined, an extremely complex issue for women.

There is still a wide gap between men and women as far as job opportunities are concerned and the disparities in unemployment rates in the region have systematically widened. In 1990, the rate was 1.6 percentage points more for women but in 2008 this had increased to 2.6 percentage points (see figure III.2). Women's unemployment did not fall noticeably either because it remained above 8%, whereas for men the rate was the lowest for the period 1990-2008, at less than 6%.

Figure III.2
**LATIN AMERICA (SIMPLE AVERAGE OF THE COUNTRIES):
 TREND IN THE URBAN UNEMPLOYMENT
 RATE, 1990-2008^a**
 (Percentage)



Source: Economic Commission for Latin America and the Caribbean (ECLAC), on the basis of special tabulations of household surveys conducted in the respective countries.

^a The average for each year was calculated as follows: 14 countries for 1990; 15 countries for 1994; 16 countries for 1999; 17 countries for 2002; 16 countries for 2005; and 14 countries for 2008.

Box III.1

WOMEN'S ECONOMIC EMPOWERMENT

Recalling that in its agreed conclusions on financing for gender equality and the empowerment of women, adopted in 2008, and on eradicating poverty, including through the empowerment of women throughout their life cycle, in a globalizing world, adopted in 2002, the Commission on the Status of Women noted the growing body of evidence demonstrating that investing in women and girls has a multiplier effect on productivity, efficiency and sustained economic growth and that increasing women's economic empowerment is central to the achievement of the Millennium Development Goals, including to the eradication of poverty,

2. Also calls upon States to adopt and apply a systematic approach across all areas and at all levels in order to accelerate women's full participation in economic decision-making at all levels and ensure the mainstreaming of a gender perspective in the implementation and evaluation of economic and development policies and social safety net and poverty eradication programmes, as well as to promote and reinforce capacity-building of States and other stakeholders in gender-responsive public management, including, but not limited to, gender budgeting;

4. Calls upon States to undertake legislative and administrative reforms in order to give women full and equal access to economic resources, including the right to inheritance and to ownership of land and other property, credit, natural resources and appropriate technologies;

13. Also calls upon States to adopt and apply effective measures, including legislative measures, to ensure the application of the principle of equal remuneration for men

and women workers for equal work or work of equal value, to promote equality of opportunity and treatment among men and women in respect of employment and occupation, and to enable persons with family responsibilities who are engaged or wish to engage in employment to be able to do so;

(f) To take and encourage measures, including, where appropriate, the formulation, promotion and implementation of legal and administrative measures, to facilitate the reconciliation of work and personal and/or family life, such as child and dependant care, parental leave and maternity leave and other leave schemes and flexible working schemes for men and women and, where appropriate, shorter working hours, and design, implement and promote family-friendly policies and services, including affordable, accessible and quality care services for children and other dependents, parental and other leave schemes and campaigns to sensitize public opinion and other relevant actors on equal sharing of employment and family responsibilities between women and men and emphasize men's equal responsibilities with respect to household work;

25. Calls upon sending, transit and receiving States to incorporate gender perspectives in all policies and programmes on migration, promote the full enjoyment of human rights and fundamental freedoms by women migrants, combat discrimination, all forms of exploitation, ill-treatment, unsafe working conditions and violence, including sexual violence and trafficking in women and girls, and facilitate family reunification in an expeditious and effective manner, with due regard to applicable laws, as such reunification has a positive effect on the integration of migrants;

Source: United Nations, resolution 54/4 of the Commission on the Status of Women, Report on the fifty-fourth session of the Commission on the Status of Women (E/2010/27), New York, 2010.

Box III.2

GENDER EQUITY IN ENTERPRISES

Enterprises can play a leading role in promoting new ways of fitting in work and family life as well as in access to employment and equal participation. In this respect, in recent years a number of interesting experiences have been conducted driven by gender mechanisms in various countries in the region. The integration of gender equality at various organizational levels is increasingly seen as contributing towards better management, in some cases covered by the ISO quality certification scheme. Such programmes in enterprises are publicly acknowledged by means of an equality or quality certificate or mark awarded by the Government.

The following are some of these programmes:

- Argentina: Pilot Programme for Certifying Gender Equity in Enterprises (Gender Equity Model for Argentina, MEGA 2009)

- Brazil: Pro-Equity Programme
- Costa Rica: Equality and Gender Equity Management Scheme
- Dominican Republic: Pilot scheme for a Gender Equity in Enterprises Certificate
- Chile: *Iguala* Certificate for Good Labour Practices with Equity
- Mexico: Gender Equity Model
- Spain: "Equal Opportunities in Enterprises" award, Decree 1615/2009 on Equality at work
- Uruguay: Quality Management Programme with Gender Equity

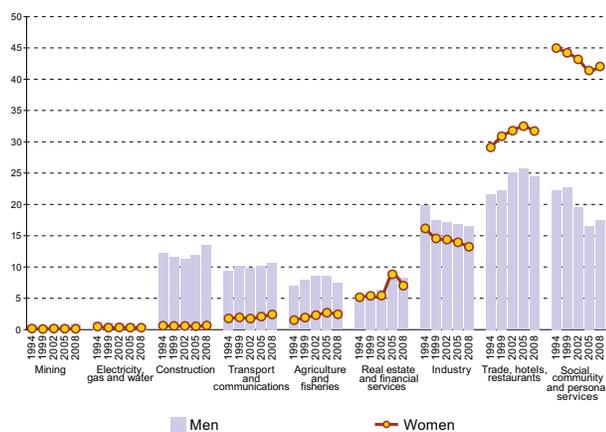
Source: Economic Commission for Latin America and the Caribbean (ECLAC).

A. Horizontal and vertical segmentation in women's employment

Another special feature of the labour market, where changes have been few and slow, is the concentration of persons in jobs deemed to be “for men” or “for women”. Horizontal segmentation is part of a systemic problem that occurs in three spheres: (a) the family, through socialization, where success for girls continues to be considered a combination of a career and motherhood; (b) school, where the reproduction of stereotypes accounts to a large extent for the fact that young girls focus on studies compatible with family life; and (c) job opportunities, which in public life require capabilities that are similar to those valued in family life. It is therefore not surprising that women are predominant in education and health services, services to persons and trade (between 1994 and 2008, over 40% of women worked in social, community and personal services). The number of women working in financial services increased in 2005 and, if they are added, it will be seen that almost half the women in paid work are in the services sector (see figure III.3).

Women working in the financial sector are an interesting case because they demonstrate the exceptional capacity of some groups of women to overcome the stigma that equates women's work with precariousness and low wages. Although their wages or earnings tend to be higher than those in other medium- or high- productivity sectors, they face the daunting challenge of vertical segmentation inasmuch as they face greater obstacles to career advancement.²

Figure III.3
LATIN AMERICA (SIMPLE AVERAGE OF 14 COUNTRIES):
WORKERS AGED 15 AND OVER BY BRANCH OF ACTIVITY,
URBAN AREAS, AROUND 1994 TO 2008
(Percentages)



Source: Economic Commission for Latin America and the Caribbean (ECLAC), on the basis of special tabulations of household surveys conducted in the respective countries.

The fact that the proportion of women among university graduates is just over 60% and that women are over-represented in professions such as the social sciences, the humanities and the arts, health and well-being and, above all, education, shows that there are still marked gender differences in tertiary education. The fields of study in which women are greatly under-represented are engineering, manufacturing and construction and agriculture (see figure III.4). Cuba is a noteworthy case, since here women represent 46.7% of the workforce and certain occupational categories are highly feminized, such as the judiciary, medicine and education. In particular, women account for 53.3% of jobs in science, innovation and technology. Lastly, women in Cuba have a right to equal pay for work of equal value.³

For the majority of services, the lack of job security is compounded by the fact that women mostly work in the lowest level positions and those with the least power in the pyramid, or in jobs that require fewer qualifications. This vertical segmentation is a result of the phenomenon known as the “glass ceiling”, in reference to the invisible power barriers which prevent women from rising in companies. Among the total number of persons working in executive jobs or as senior civil servants (4.7%), women account for 1.7% and men for 3% (see figure III.5). In addition, only 3.9% of all women employed reach executive level, compared with 5.2% for men. This clearly shows how discrimination leads to inefficiency, which prevents society from benefiting from the social investment in educating girls and women.

The barriers that make up the glass ceiling include stereotypes and prejudices, a hostile corporate culture that tacitly excludes women from informal communication networks, and the lack of opportunity to gain experience in managerial posts. Labour policies that traditionally link women with work in caring for dependent family members, as a correlation to their family responsibility obligations, are also partly responsible for this situation.

While the glass ceiling describes experience at the higher level of the hierarchical structure, what some authors call the “sticky floor” shows the situation of women at the lower end of the wage hierarchy, who find it difficult to move away from low paid jobs with fewer mobility prospects. The greater difficulties they face are also related to the absence of accessible care services and the lack of opportunity for on-the-job training (Harlan and Bertheide, 1994; Albelda and Tilly, 1997).

² In this connection, see the studies by the ECLAC Division for Gender Affairs, in particular Aguirre, García Sainz and Carrasco (2005) and Montaña and Milosavljevic (2010).

³ See country report prepared for the eleventh session of the Regional Conference on Women in Latin America and the Caribbean.

Figure III.4
LATIN AMERICA (SELECTED COUNTRIES): WOMEN AMONG TOTAL HIGHER EDUCATION GRADUATES, BY FIELD OF STUDY, 2003-2008
 (Percentages)

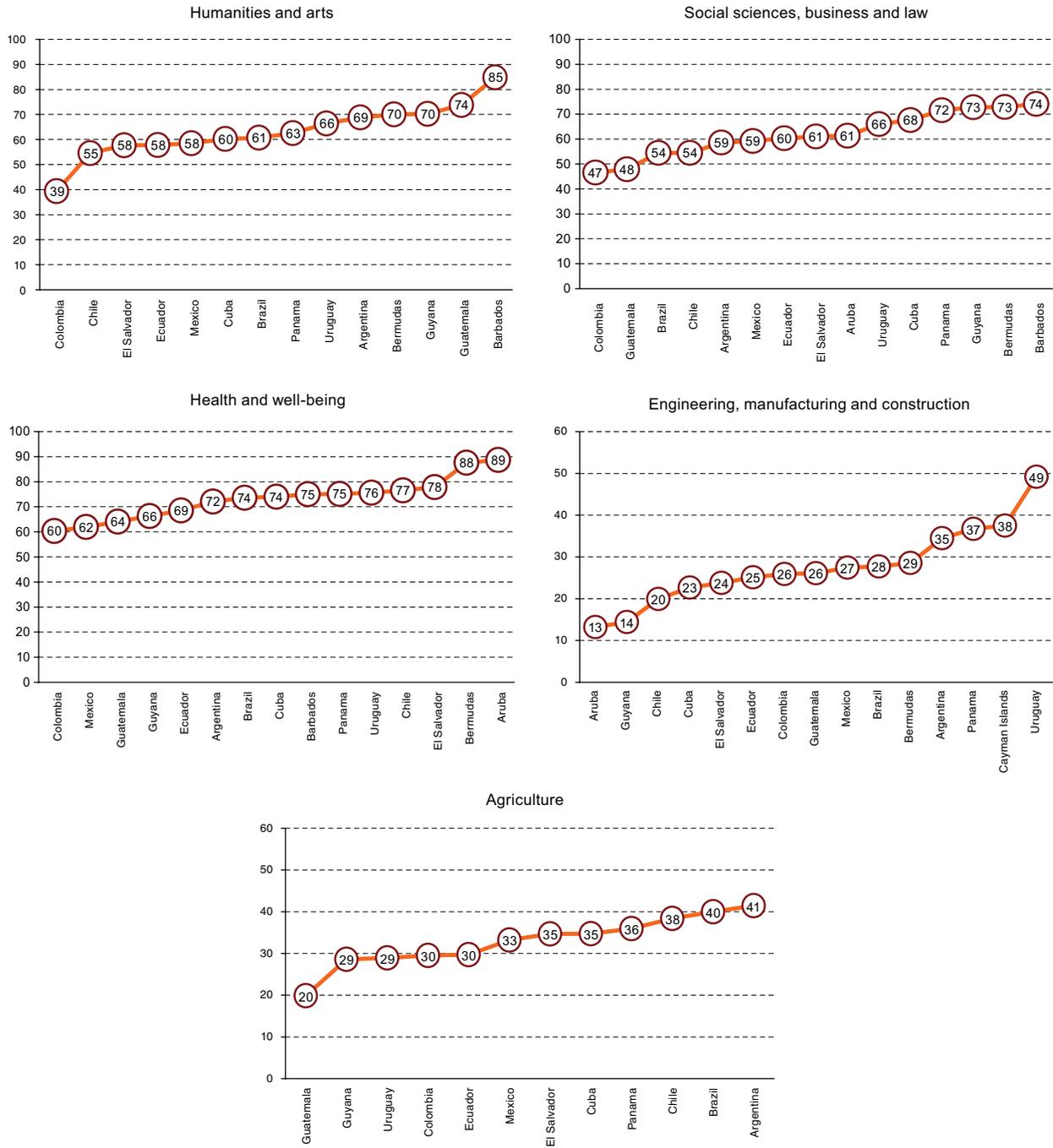
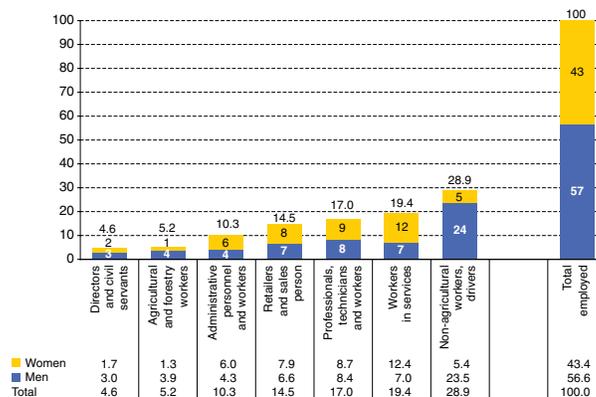


Figure III.5
**LATIN AMERICA (SIMPLE AVERAGE OF 15 COUNTRIES):
 STRUCTURE OF THE WORKING POPULATION BY
 OCCUPATIONAL GROUP, URBAN AREAS,
 AROUND 2008**
 (Percentages)



Source: Economic Commission for Latin America and the Caribbean (ECLAC), on the basis of special tabulations of household surveys conducted in the respective countries.

B. The market for wage employment

The prevailing development model encourages deregulation and more flexible labour markets on the basis of the common assumption that regulation was an obstacle to job creation. According to Weller (2009), two features typified labour policies in Latin America in the 1990s: the expansion of a range of employment contracts and the low cost of dismissing staff. In addition to employment contracts for an indefinite period, various types of fixed-term contracts emerged, subject to different conditions concerning trial periods or outsourcing, and protection against unemployment was left in the hands of the employees themselves, for example, through individual provision. Subcontracted personnel do not have the benefit of social coverage or maternity or sick leave, no fixed hours of work or stability and workers are paid on a piecework basis.

Although some countries have introduced protection measures in the labour framework, these do not cover all wage earners and do not include small business or informal enterprises, where women predominate.⁴ The reforms did not meet the expectations raised concerning job creation (Stallings and Peres, 2000), but flexibility has definitely marked labour management strategies in enterprises and

has had a considerable impact on workers, particularly on the least qualified or those with less human capital, who are given fixed-term contracts or jobs in outsourcing chains.

1. The weak winners of trade openness

The impact of liberalization policies on economic growth has been widely studied and, in general, the results have been mixed. The impact of economic growth on women can vary, and also depends greatly on the type of economic strategy that promotes and sustains such growth, as well as on the specific sectoral policies that support it.

The opening up of trade as a strategy for the international integration of countries and the attendant flows of foreign direct investment have created job opportunities for women in the region. Nevertheless, the jobs created have mainly been precarious ones and the opportunities generated may not be sustainable in the medium and long terms, as can be seen from the case of banana production in Saint Lucia (see box III.4). The evidence shows that the investment made tends to be more capital-intensive or to require a more skilled labour force. There is also a move to relocate investment and transfer jobs from the formal to the informal sector of the labour market.

⁴ Labour institutions deal with legislation on labour relations (individual or collective), labour market policies (intended, among other things, to promote the creation of jobs and the training of those providing the labour) and unemployment insurance. These institutions lay down the rules governing relations between enterprises and workers and define the State's role in each country.

Box III.3

FOLLOW-UP AND OVERSIGHT OF GENDER EQUALITY POLICIES WITHIN THE STATE

A new generation of gender equality policies is emerging in Latin America as a result of programmes created to perform mandatory follow-up and oversight functions. These pioneering experiences include the gender equity system of the Government of Chile's management improvement and institutional efficiency targets programme; Standard NMX-025-SCFI-2009 of the Secretariat of Labour and Social Security of Mexico, implemented in public offices and departments, private enterprise and trade unions, under which any public, private or social organization may apply for voluntary certification by mainstreaming gender equality practices in its organizational culture; and the National Equality and Gender Equity Plan II, 2007-2017 of the Dominican Republic, which incorporates a system of indicators and follow-up to the implementation of public policies by the different State and society-based stakeholders.

Although they have yet to develop formal oversight systems, other countries, too, are setting up mechanisms to enable the executive branch to provide follow up for equality policies, with different initiatives geared towards stronger mainstreaming of the institutional structure for gender equity and equality. Examples of these are the State policy for gender equity and equality of Costa Rica, Cuba's national plan of action in follow-up to the Fourth World Conference

on Women and Guatemala's national policy for women's advancement and comprehensive development and equity of opportunities plan 2008-2023, which includes a manual for mainstreaming the gender and ethnic perspectives in the executive branch.

Ecuador is preparing draft legislation on equality, which will set forth principles to guide the action of the public powers, regulate the rights and duties of individuals and public and private entities, and establish measures aimed at preventing, eliminating and redressing all forms of discrimination in the framework of the principle and the right to equality and non-discrimination to which all individuals (men and women), groups, communities, peoples and nationalities are entitled. In Paraguay, the principle of equality upheld by the Constitution and by the Convention on the Elimination of All Forms of Discrimination against Women is being incorporated into a document on "Paraguay for all: public policy proposal for social development, 2010-2020", whose preparation is being coordinated by the cabinet for social affairs of the executive branch.

With a view to eradicating labour and wage discrimination in Colombia, the Office of the Presidential Adviser on Gender Equity worked with trade unions and private enterprises to draft the Employment Equality Agenda, which was signed by 18 heads of trade unions in March 2009.

Source: Economic Commission for Latin America and the Caribbean (ECLAC), on the basis of national reports prepared by the Governments of Latin America for the eleventh session of the Regional Conference on Women in Latin America and the Caribbean.

Box III.4

THE BARBADOS TOURISM INDUSTRY

Since the 1950s, the Government of Barbados has boosted the development of its tourism industry and moved away from sugar production. Currently, this industry undoubtedly plays a key role and has transformed the labour integration of women, who now work in tourism and related services as maids and waiters, event planners, dancers, beauticians and nursemaids, as well as in the production and sale of handicrafts and the sex trade, among others. According to data from 2004, 59% of those employed in the tourism sector were women. This percentage

marks the fact that women occupy the lowest positions in the market and are relegated to seasonal or part-time work. This situation has had positive effects, such as empowering women and increasing their capacity to negotiate with their partners because they are employed and provide the household with an income. The tourism sector has provided an opportunity for training, which has above all involved women who had been unable to resolve the problem of the horizontal and vertical segregation of labour in the market.

Source: Commonwealth Secretariat Gender and Trade 2010 [on line] <http://www.thecommonwealth.org/gtinformation/164419/164437/caribbean/>.

According to Giosa and Rodríguez (2010), in 2000-2006 women represented between 40% and 80% of the total workforce in the maquila industry —an emblem of trade openness in terms of jobs, particularly in the textiles and clothing branch— in Costa Rica, the Dominican Republic, El Salvador, Honduras, Mexico, and Nicaragua. These opportunities raise a number of problems, however. On the one hand, there is a very marked glass ceiling phenomenon in maquila plants: only 0.4% of women working in the maquila industry occupy executive positions (compared with 1.6% of men) and 34% are administrative staff or in skilled jobs (compared with 43% for men) (Brown and Dominguez, 2007, cited

by Giosa and Rodríguez, 2010, p. 44). In addition, for the majority of women employees with little or no skills, their jobs offer no social protection and there are no labour standards. Their long work days are made even longer by the obligation to work overtime, discipline at work involves scrutiny at all times (at work and during breaks). Wage policies are intended to increase output at the cost of the women's quality of life, wages are low and there are health risks.

Furthermore, if female workers refuse to work overtime or need to take medical or personal leave, are absent because of illness or pregnancy, refuse sexual advances or promote the organization of trade unions,

Box III.5
MONOCULTURE IN SAINT LUCIA

In the early 1960s, there was a change in food production in Saint Lucia, which brought new hope to farmers: the move from sugar cane production to bananas, a crop that guaranteed good financial returns to large producers and also to small-scale producers and women. This “green gold” was not so labour-intensive and was not reminiscent of conditions under slavery. The profitable trade in this product with the United Kingdom continued until 1993,

when globalization brought changes, and conditions in the European market meant that Saint Lucia’s production was left out because it did not have sufficient export capacity to meet demand on the old continent. Banana producers were excluded from the market and have no alternative means of income because there are no replacement crops and their low levels of education do not allow them to enter any other sectors of the labour market.

Source: Commonwealth Secretariat Gender and Trade 2010 [on line] <http://www.thecommonwealth.org/gtinformation/164419/164437/caribbean/>.

supervisors and owners quickly dismiss them because they know they can easily find other workers in the market. The result is a high turnover and a marked climate of instability and vulnerability for these workers (Giosa and Rodríguez, 2010, p. 47).

The effect of trade liberalization on domestic prices has a negative impact on employment in sectors where production is replaced by imports. Moreover, the liberalization of trade in food has had particularly serious consequences for people’s lives, especially for women in the countryside. The shift from the cultivation of domestic food crops to export-oriented agriculture

in developing countries —many in Latin America— together with growing reliance on global food markets, have led to increased food insecurity, manifested in the volatility of food prices and the decline in world food stocks (United Nations, 2009b).

In short, women working in sectors such as the maquila industry, agricultural exports and tourism can be considered “weak winners” (Kabeer, 2000) of globalization, inasmuch as by joining the labour market, they achieve or tend to achieve autonomy, decision-making power and the capacity to choose, albeit in precarious jobs.

Box III.6
TEMPORARY WORKERS: DAY WORKED, DAY PAID

The case of women employed as temporary workers in Chile’s agricultural export sector shows how the implementation of the export-oriented agricultural model has led to the expansion of temporary employment, salaried employment for women and the introduction of more flexible work mechanisms, outsourcing and labour intermediation. The percentage of temporary employees in Chile’s agricultural sector rose from 45.7% in 2000 to 54.5% in 2003 and 2006. Men have a greater share of permanent jobs than women (51.9% of men compared with 23.6 per of women in 2006).

Although women in this sector more frequently work in

agricultural export companies under a signed labour contract (65.6% compared with 46.9% of men in 2006), particularly in packing in medium and large companies subject to inspection, the working conditions and the forms of remuneration are part of a trend towards flexibilization. This is evident from the excessive use of piecework contracts despite the existence of a stable working relationship, from the extension of systems of paying for piecework, flexible payment periods and the replacement of the right to “a full week” by the concept of “day worked, day paid”.

Source: Angélica Willson and Pamela Caro, “Temporeras de la agroexportación en

Chile: tensiones y desafíos asociados a la relación entre la vida laboral y familiar”, *Mujer y desarrollo* series, No. 94 (LC/L.3117-P), Santiago de Chile, Economic Commission for Latin America and the Caribbean (ECLAC), 2010, United Nations publication, Sales No. S.09.II.G.96.

The gap between the wages earned by men and women has narrowed over time: in 1990 women earned the equivalent of 69% of men’s wages; in 2008 —almost 20 years later— the gap had been narrowed by 10 percentage points and women now earn the equivalent of 79% of men’s income (ECLAC, 2009d).⁵

The wage gap sums up the effects of numerous inequalities: fewer hours of paid work, overrepresentation in low-productivity jobs, underrepresentation in senior positions and continuance of lower wages for equal work.⁶ This latter factor stems from the shortcomings (or lack) of legislation guaranteeing equal wages between 1990

⁵ If those working in domestic service are excluded, women’s average wage rises from 72% to 85% of that of men over the same period (ECLAC, 2009d).

⁶ It should be recalled that the fact that women work less than men in the market corresponds to a choice influenced by the cultural, social and economic context and, in most cases, cannot be considered a free decision on the part of the women.

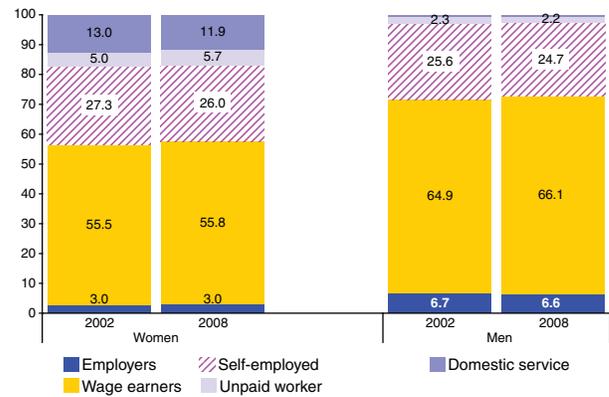
and 2008, together with the cultural barriers that remain despite the inclusion of this principle in the legislation of some countries, such as Cuba and Chile. Colombia's labour code specifically prohibits the differentiation of wages by sex.

2. Paid domestic work within and outside the home country

There can be no doubt that domestic service is the clearest example of labour precarity, both nationally and internationally. In 2008, 1 out of 10 women (11.9%) who worked for a wage did so in paid domestic service (see figure III.6). Among migrants, this continues to be the preferred sector for entering the labour market, although in some cases other professions such as nursing stand out.⁷ These migrants are a key link in “global care chains”, but are also the most critical expression of the discriminatory nature of the global market, which, on the one hand, promotes the establishment of extended transnational families and yet, on the other, from the legal point of view, restricts the movement of persons and leaves many women who emigrate with no possibility of family reunification. The paradox of this new type of chain is that, unlike other work, it is virtually impossible to reconcile family and work, which means a decline in the standard of care for

the children of migrant care workers. The remittances which these women send home have increased in recent years and often represent an unrecognized contribution to development (Sassen, 2008).

Figure III.6
LATIN AMERICA (SIMPLE AVERAGE OF 18 COUNTRIES):
BREAKDOWN OF PERSONS EMPLOYED
BY JOB CATEGORY, URBAN AREAS,
AROUND 2002 AND 2008
(Percentages)



Source: Economic Commission for Latin America and the Caribbean (ECLAC), on the basis of special tabulations of household surveys conducted in the respective countries.

Box III.7 EXPORTING NURSES

The shortage of nurses in developed countries has led to recruitment of these human resources in Caribbean countries. Nevertheless, this migratory flow of skilled and sought after labour to developed countries has not been exempt

from inadequate remuneration and benefits, unfavourable working conditions and insufficient training and professional development. The United Kingdom and the United States have tried to put a stop to this situation.

Source: Commonwealth Secretariat Gender and Trade 2010 [on line] <http://www.thecommonwealth.org/gtinformation/164419/164437/caribbean/>.

The poor quality of these jobs is exacerbated by violation of the rights of domestic service workers (Pautassi, 2005), who are treated by the special regulations in most countries in the region as less important subjects of regulation and considered by migration legislation to be second-class citizens. These workers are paid very little, receive no bonuses or gratuities (and even when they do receive any, they are often in kind), work overtime as part of their normal working day, have insufficient daily and

weekly periods of rest and insecure contracts with very little social security benefits. Moreover, the combination of place of work and place of living for live-in workers affects their privacy and encourages labour relations that can be equated with servitude (Arriagada, 1997).⁸

Some countries, including Costa Rica and Ecuador, have recently introduced legal reforms to regulate the length of the working day and ensure access to social security, among other aspects. In Paraguay these matters reached the national agenda in 2008, when a number of legal and programmatic initiatives were instituted.

⁷ The region exports labour that cannot be absorbed by national employment systems and this prompts many women to leave their homes and countries. If one differentiates by gender, it can be seen that the majority of men migrate to the United States, whereas women move within the region. Martínez (2003) has called this phenomenon the quantitative feminization of intraregional migration. This is the case of flows originating in the Dominican Republic, Honduras, and Paraguay, where women's mobility is more for reasons of work than to accompany partners or for family reunification.

⁸ Migrants are employed in branches of activity similar to those described for the national context but when they leave their own countries some of them end up becoming sex workers or are victims of trafficking in persons. In 2001, 44% of Nicaraguan immigrants in Costa Rica worked in social and personal services, including domestic service (Loria Bolaños, 2002), and of all the Dominicans living in Spain, 40.5% were employed in homes.

Box III.8
DOMESTIC WORK IN JAMAICA

The domestic service sector consists mainly of poor and unskilled women, most of whom are heads of households. This is a sector that expands when there is a downturn in the economy, marked by a withdrawal of foreign investment and lack of opportunities for employment in other sectors.

The Jamaica Household Workers Association (JHWA) has intervened in this respect to represent its members; it has focused attention on the situation and limited migration in the Caribbean Community (CARICOM) for this type of work.

Source: Commonwealth Secretariat Gender and Trade 2010 [on line] <http://www.thecommonwealth.org/gtinformation/164419/164437/caribbean/>.

C. Independent work

Programmes to support microenterprises have been one of the most important responses to the informalization of employment systems, motivated by the belief that these can develop if two main obstacles can be overcome: complex, costly or inappropriate legal regulations and lack of financing (Weller, 2007). To a certain extent, this practice has also expanded into rural areas (ECLAC/FAO/IICA, 2009) where, in many cases, action by non-governmental organizations plays a key role.

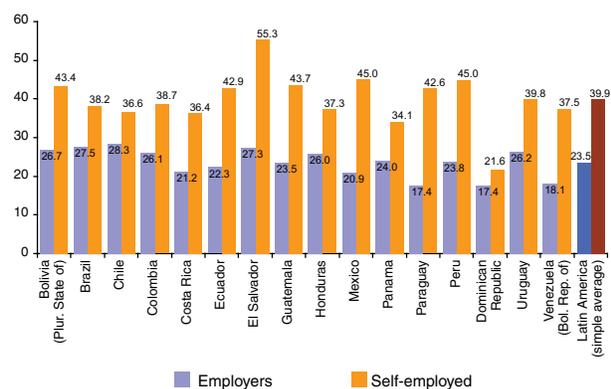
The objective of policies designed to expand the formalization of microenterprises through measures to facilitate their registration has been to boost the generation of independent jobs or new jobs within existing microenterprises. Many programmes have encouraged the training of independent workers and the financing of their small enterprises.

1. Women employers and self-employed workers

About a quarter of the active population works independently and the income earned from this work is the second largest source of income among the employed of both sexes. A detailed analysis of household surveys in Latin America (in 2005) shows that gender inequalities exist. Indeed, if all sources of income are analysed, in this case too, for men, work-related earnings correspond to just over one third (33%), whereas in the case of women, they barely reach one fifth (21%) (Pérez, 2010).⁹

In 2008, women accounted for 41% of the total of independent workers in urban areas and 33.1% in rural areas. Women are the vast majority (80%) of self-employed workers, who, in turn, account for over 80% of men and women working independently (see figure III.7).

Figure III.7
LATIN AMERICA (16 COUNTRIES): WOMEN EMPLOYERS AND SELF-EMPLOYED, NATIONAL TOTAL, AROUND 2008
(Percentages)



Source: Economic Commission for Latin America and the Caribbean (ECLAC), on the basis of special tabulations of data from household surveys conducted in the respective countries [online] www.eclac.org/mujer.

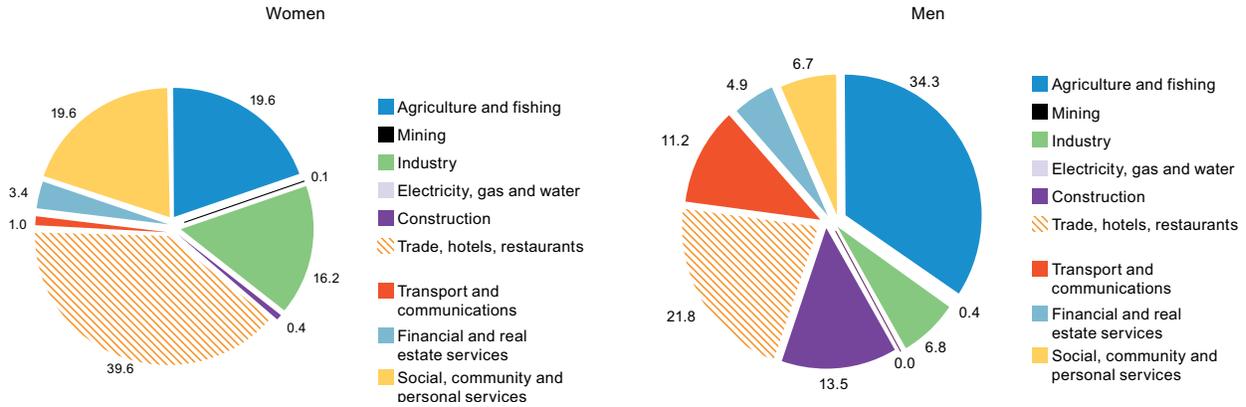
An analysis of the tasks carried out by men and women working independently at the national level shows that while self-employed women specialize in trade, men do not specialize in any particular branch, although their presence is more marked in transport and financial services (see figure III.8).

Another relevant point is that, in the majority of cases, women working independently work from their homes, while this is less frequent in the case of men. In addition, as has already been mentioned, in those cases where men do work from the home, this does not necessarily mean that they participate more in household tasks.

⁹ Individual monetary earnings are calculated by adding the following sources of income: wages, salaries and earnings of independent workers derived from the labour market; pensions and retirement benefits; household transfers from overseas; and

social benefits paid by the Government. Fixed-term investment and real-estate rents, land rental and other sources of income are also included.

Figure III.8
LATIN AMERICA (SIMPLE AVERAGE OF 16 COUNTRIES): BREAKDOWN OF SELF-EMPLOYED WORKERS BY BRANCH OF ECONOMIC ACTIVITY, NATIONAL TOTAL, AROUND 2008^a
 (Percentages)



Source: Economic Commission for Latin America and the Caribbean (ECLAC), on the basis of special tabulations of data from household surveys conducted in the respective countries.

^a Countries included in the average: the Bolivarian Republic of Venezuela, Brazil, Chile, Colombia, Costa Rica, the Dominican Republic, Ecuador, El Salvador, Guatemala, Honduras, Mexico, Panama, Paraguay, Peru, Plurinational State of Bolivia, and Uruguay.

**Box III.9
 INSTITUTIONALIZING EQUALITY IN COLOMBIA**

In Colombia, the national agreement for equity between men and women, signed by the Government, the upper courts and several trade unions, is aimed at consolidating gender equity and equality as a State policy. This agreement led to the establishment of an inter-agency committee to eliminate

violence against women, an employment equality agenda and a cross-union gender committee. In addition, the Presidential Advisory Office on Gender Equity and the National Federation of Coffee Growers have formed a partnership to mainstream the gender perspective in the coffee-growing industry.

Source: Government of Colombia, national report prepared for the eleventh session of the Regional Conference on Women in Latin America and the Caribbean, 2010.

**Box III.10
 WOMEN AND NON-AGRICULTURAL MICROBUSINESSES IN MEXICO**

Almost half (47%) of Mexico's microentrepreneurs are women. Eight out of every ten microentrepreneurs create their own businesses without any government assistance, half of them with their savings (54%) and around one third with financial help from family members and friends, and in 53% of the cases they contribute to the family income. For men, when they set up their own businesses, 62% do so with their savings and 17% with financial help from family members and friends, and 13.7% of them contribute to the family income.

Half of the women are self-employed, with a level of education that is lower than that of men (27% have not

completed primary education compared with 17% for men). They mostly work in trade (52%, compared with 28.4% for men) and services (30%) and tend to work at home (55.4% of their microbusinesses do not have their own premises compared with 26% of the businesses run by men). Their enterprises are on a small scale (47% do not have any employees, compared with 39% for men) and do not keep any accounts (71%, compared with 61% for men). On average, they work fewer hours than men when they are self-employed and almost the same number when they are employers, and their earnings are lower in practically all branches of activity, including trade.

Source: Mexico, Ministry of Labour and Social Welfare (STPS), *Encuesta Nacional de Micronegocios*, 2008, Mexico City, National Institute of Statistics and Geography (INEGI), 2009.

To summarize, the evaluation of women's work situation reaffirms what is stated in the documentation analysing development from the gender perspective: (i) it is not possible to understand development processes and their implications for people's real lives without

taking into account the gender relations involved; (ii) globalization and feminization of the labour force have moved in parallel with deregulation and flexibilization of the labour market and, consequently, are related to the deterioration in working conditions in the quest to

lower production costs; (iii) the opportunities opened up for women by development strategies in various countries have complex and frequently contradictory aspects that do not modify the segregation and income gap; and (iv) the overall organization of reproduction in society continues to impose limitations on women's participation and economic independence because the problems of reconciling productive and reproductive work persist.

2. Assets: land, networks and other physical assets

Life in the home requires the availability of various assets and resources, which may be individual or collective, public or private, and are used to generate income, either through the production of goods and services, the sale of labour or solidarity networks among households.¹⁰

The assets affect the income-generating strategy, the level of such income and, in many cases, the capacity to guarantee minimum thresholds of food security. In rural zones in particular, they also govern the capacity for growth of microenterprises.¹¹ Access to assets affects a household's level of vulnerability and also that of enterprises faced with possible shocks that may cast them into poverty or into situations in which the profitability of the economic unit is seriously jeopardized. In the case of women, this may affect their economic independence.

Typically, women do not have ready access to assets, and women of minority populations and young women are at an even greater disadvantage.

In rural areas, land is a source of cultural identity and political power and is essential to produce food and generate income. For women, access to land represents an opportunity to enhance their negotiating capacity within the home and to provide for their old age, and is associated with a lower level of domestic violence (Deere and León, 2003). Nevertheless, as occurs in other spheres, the distribution, administration and use of the land has been divided up unequally in the region (Deere and León, 2000 and 2003; FAO, 2010 and SACAD/FAMV, 1993), which explains in part why few women are to be found among independent workers engaged in agricultural activities.

Access to land ownership depends on the reproduction logic in the agricultural units and in the home, which is built on the basis of family organization around gender roles and socialization of men and women, common law, and family and inheritance laws as a

vector of intergenerational continuity of the agricultural unit and the community. The type of relations among communities and national laws and regulations, together with the market in an ever-changing economic and socio-demographic context, also play a role.

In several Latin American countries there has been an opening up to women in the sphere of public law —such as agrarian reform or counter reform and land tenure programmes, either at the initiative of the State in order to comply with international agreements on women's rights, through the action of international organizations (Deere and León, 2000), or in response to land rights claims made in the course of peasant and indigenous struggles.

In several countries, notably Brazil, Costa Rica, Nicaragua and the Plurinational State of Bolivia, ownership rights for women are independent of the marital relationship. Some countries, such as El Salvador, recognize the “joint and obligatory right of the partner” and others provide it as an option, which, in general, does not help women to accede to ownership. As regards inheritance, the civil codes have over time incorporated egalitarian standards which open up the path for daughters to inherit. In Paraguay, for example, women's access to land is guaranteed by the 1992 National Constitution, which declares the need to “promote women's access to land ownership, guaranteeing ownership through access to title deeds” (article 2b). Nevertheless, data from the National Rural Development and Land Institute (INDERT) shows a very small increase, one percentage point, in the number of women owning 10 hectares between 2007 and 2009 (from 33.03% to 34.13%). This shows that powerful cultural and administrative barriers intervene in the process of regularizing and reclaiming public land by the Government as part of agrarian reform (Paraguay, 2010).

There are still many discrepancies between the rules in the majority of civil codes or agrarian codes and actual practices governing land tenure rights. To a large extent this can be explained by customs and practices which give preference to men as the owner of the family assets. There are many cases in the region where common law and written law coexist and are used to settle land tenure disputes.

Different adaptation strategies have arisen for dealing with the scarcity of fertile land and demographic pressure. While in some countries there is a move away from an inheritance system that concentrates land ownership in the male line, in others the same pressure leads families to engage in several activities, thereby lessening their dependence on agriculture. This process results in a system of land tenure that tends to be more equitable.

Although there is little statistical information on the access of rural women to ownership and control of

¹⁰ This refers to natural assets such as land and water, physical assets such as equipment, machinery and infrastructure, financial assets, “human capital” and “social capital”.

¹¹ An enterprise's growth potential depends, among other things, on the type of goods and services it produces, the market structure and its position on the said market (capacity to control pricing), as well as the specificities of demand based on consumers' socio-economic category.

land, Deere and León (2003) show that inheriting land is the main means of access to ownership in at least six countries in the region: Brazil, Chile, Ecuador, Mexico, Nicaragua and Peru.

Access is unequal and, in general, the average area of women's holdings—whether inherited or obtained by other means—is less than that for men. This may be the result of a number of factors, for example, where the woman is an adult and inherits the land together with her children, it has to be divided up, and where she is a minor and receives less because it is believed that her husband has the duty to provide for her.

This is taking place in a context in which small-scale farming is declining, the economic value of land is falling and the market for land is being liberalized,

and, paradoxically, precisely when women are starting to obtain access to this asset.

The picture is different in urban areas because there is no land to inherit. The symbolic value of inheriting land becomes the value of education, which is the result of investment and sacrifice on the part of parents. Here, other physical assets and social capital are important to enable women to benefit from economic opportunities.

In various studies on the sources of start-up financing for microenterprises it has been shown that the situation differs according to gender. Women mobilize their personal savings and networks of relatives or friends more than men. As women have lower incomes, start-up financing based on savings is also probably less and this means unequal access to microbusiness assets for women.

Box III.11

NICARAGUAN WOMEN OWNERS OF BUSINESSES IN URBAN AREAS

In general, there is little information in household surveys on women's access to ownership of the assets needed to start up or continue an economic activity as independent workers. The best source of information is in surveys of microenterprises and small and medium-sized enterprises. Nevertheless, important steps are being taken to reduce the gaps noted in the household surveys and 11 Latin American countries already have separate information on the ownership of assets acquired from Living Standard Measurement Surveys (LSMS).

In Nicaragua, the only country which has sufficient information on individual assets and their values on the basis of a survey in 2001, women own between 36% to 41% of households' actual wealth, that is to say, all the assets such as housing, land, cattle, durable consumer goods, savings and businesses.

Regarding the businesses identified in households, the survey shows that the majority of owners (55.2%) and decision-makers were women. Moreover, in 15.8% of households which "owned" businesses, they were sometimes jointly owned by men and women. On the other hand, women are the main decision-makers in rural areas with respect to agriculture in 8.8% of households, while in 21% of household women own land (as joint owners in 4.1% of the cases).

Nevertheless, when taking into account the average value of businesses owned by men and women, women who are sole owners of their businesses are clearly at a disadvantage (the average value of a woman's business is 30% of the average value of that of a man). Where there is joint ownership, the average value of the business represents 91% of the average value of a man's business.

Source: Carmen Diana Deere, Gina E. Alvarado and Jennifer Twyman, *Poverty, Headship and Gender Inequality in Asset Ownership in Latin America*, Center for Latin American Studies, University of Florida, January 2010.

3. Financial services

The financial services available to the low-income sector of the population are limited (United Nations, 2009b). Although this affects the majority of small and medium-sized enterprises, the formal financial sector has particularly excluded women from loans and only started to consider them as part of the market during the past decade. Nevertheless, where there is some experience of banking for women, financial services generally lay down stricter terms, and require guarantees that the women are unable to provide and tend to prefer the owners of assets or members of higher-income households or large enterprises, which means that women are subject to discriminatory practices, even when their financial profile is the same as that of men (Heller, 2010).

Microfinance programmes have emerged because of the inability of the formal financial sector to respond to the needs of the low-income sector of the population. On the one hand, organizations that help those in need provide loans that are subsidized through international cooperation. On the other, there are institutions which operate on the basis of financial sustainability and offer financial service packages to those in need whom it considers solvent. This second type of institution promotes the development of small and medium-sized businesses.

In recent years, the decline in international cooperation in support of these organizations and the possibility of mobilizing the savings of poor sectors of the population in the world has led to a tendency to put microfinance services on a more commercial footing (United Nations, 2009b), which might encourage a

growing movement away from women as clients (Frank, 2008). Despite this, a typical feature of the microfinance sector is the frequent granting of loans to women because they are better payers.

There is currently an important debate on the impact of microfinance, both as regards its capacity to facilitate access to and control of economic resources, as well as the effective promotion of economic independence and the economic empowerment of women (United Nations, 2009b).

The evidence shows that access to microfinance services has increased women's decision-making power,

raised their self-esteem and promoted their incorporation into social networks related to the production activities in which they are engaged. These resources have also enabled the women and their families to avoid having to utilize the services of money lenders and have lessened their recourse to extremely precarious jobs.

On the other hand, some analyses have found that, in certain cases, loans to women can increase tension and domestic violence, lead to men contributing less to the family budget, add to the workload of women, increase their indebtedness and lead to saturation in those market segments where these women are working.

D. Care services

There are not enough public child-care services in the region, even though some countries have differentiated coverage depending on the age group or targeted at certain segments of the population.¹² In response to this need, Mexico set up a programme of crèches and day-care nurseries to help working women and the Plurinational State of Bolivia, through its government policy on equal opportunities, proposes to redistribute care responsibilities in the home. Under the *Chile Crece Contigo* programme, Chile increased the number of public nurseries by 240% compared with 1990. The Government of Suriname provides day-care centres and the Government of Trinidad and Tobago gives a tax reduction to companies which provide nurseries (ECLAC, 2009c). Even though there are legal provisions on arranging for child care in businesses, which include working women's right to have a nursery, the evidence shows that in some countries there is very little compliance with these provisions.

In some countries, such as Costa Rica, Ecuador, Jamaica and Suriname, care needs are beginning to form a specific field of public policy. In Costa Rica, the foremost objective of the national policy for gender equality and equity is care as a shared social responsibility, with particular emphasis on building up care infrastructure and promoting a cultural shift towards co-responsibility between men and women.¹³ In Jamaica, legislation on maternity leave is currently under review, with the aim of

offering greater protection to pregnant women by raising fines for employers who infringe the rules.¹⁴ Suriname has incorporated the right to paid maternity leave into the country's civil code.¹⁵

In this sphere as well there are differences between women insofar as those with higher incomes generally have access to paid child-care services and are thus free to undertake paid work. In turn, this enables them to maintain the level of income needed to buy services that allow them to reconcile work and family life.

For poor women and women in medium-income sectors, the situation is different. The lack or insufficiency of public services means that it is virtually impossible for them to reconcile work and family life, so they remain excluded from the opportunity to work.

For the time being, neither the market nor the State provides options for reconciling work and family life, in addition to which men's share of family responsibilities is minimal. One important measure being implemented in some countries is paternity leave which, on the basis of the experience gained in other regions, seeks to encourage the sharing of responsibility in households (see box III.12). Because this is a recent measure, there are still no evaluations to show to what extent there is compliance with the rules.

¹² A study carried out among temporary workers in Chile's agricultural export sector (Wilson and Caro, 2009) shows that child-care strategies are not long term. The following forms of child care were highlighted: (i) networks of female relations; (ii) paid informal help; (iii) older daughters look after the children; and (iv) seasonal child-care centres coordinated by public bodies, with limited coverage. There only appear to be marginal instances of men looking after children.

¹³ See national report prepared by Costa Rica for the eleventh session of the Regional Conference on Women in Latin America and the Caribbean.

¹⁴ See national report prepared by Jamaica for the eleventh session of the Regional Conference on Women in Latin America and the Caribbean.

¹⁵ See national report prepared by Suriname for the eleventh session of the Regional Conference on Women in Latin America and the Caribbean.

Box III.12
PATERNITY LEAVE AND GENDER EQUALITY^a

Together with social partners, Governments need to develop appropriate policies to allow a better balance of work and family responsibilities for women and men so that these are shared more equally. Such policies should include parental and/or paternity leave (with incentives for men to use them since, when available, men do not often take advantage of them) (ILO, 2009, par. 42). In Colombia, a mother may transfer between 1 and 12 weeks of her maternity leave to the father.

Thirteen countries already give paternity leave for a child recently born or adopted, but it varies from two days in

Argentina and Paraguay to 15 days in Costa Rica. Ecuador provides support for family responsibilities by giving eight days' leave to government employees for "domestic emergencies" meaning, among other things, the serious illness of a spouse, partner or close relative up to the second degree of consanguinity (Civil Service Law). In the Caribbean, the Bahamas, Belize, Dominica and the Cayman Islands give fathers some type of family leave. In Cuba, the law allows fathers to share maternity leave for up to six months, while retaining their job and pay.

Source: Economic Commission for Latin America and the Caribbean (ECLAC), on the basis of country reports presented at the tenth Session of the Regional Conference on Women in Latin America and the Caribbean, *Review of the Implementation of the Beijing Declaration and Platform for Action and the Outcome of the Twenty-third Special Session of the General Assembly in Latin American and Caribbean Countries*, Santiago, Chile (LC/L.3175) [on line] <http://www.eclac.cl/mujer/noticias/paginas/8/36338/ECLACBeijing15.pdf>; Committee on the Elimination of Discrimination against Women, Dominica, 2009, and Gender Equality Observatory for Latin America and the Caribbean [online] <http://www.ECLAC.org/oig/>, 2009.

^a In this connection, see United Nations (2009b).

E. Income disparities

1. Wages

The disparity in earnings between men and women has been narrowing over time and the average wage earned by women rose from 69% of that of men in 1990 to 79% in 2008.¹⁶

The persistence of this disparity is the result of the combined effect of the fewer hours worked by women, their overrepresentation in lower paid jobs and their under-representation in senior positions, as well as the continuance of lower wages for equal work compared with men.¹⁷ The latter is not only related to the fact that in some countries the principle of equal wages for men and women did not have force of law between 1990 and 2008, but also to the cultural barriers that remained despite the inclusion of this principle in the legislation of other countries.

2. Earnings by women working independently

Women working independently tend to earn less than men engaged in the same work. In the case at hand, there is also a difference between employers and self-employed women depending, among other factors, on the amount of

the investment, the value of their fixed assets, the number of persons employed, their educational and technological level, and the volume of demand. An analysis of the disparities between employers by sex shows that there are numerous inequalities which systematically have a negative impact on women.

Even more significant is the gender disparity between self-employed workers. In this sector, in 2008 women's earnings were 55% of those of men, whereas for employers, women earned 70% of the amount earned by men. The disparity between the amount earned by employers and self-employed workers has widened: from 8 percentage points in 1990 to a maximum of 21 percentage points in 2002; it declined subsequently, but has not returned to the 1990 levels (see figure III.9).

The potential earnings of women working independently are governed by their level of education, their access to production resources and their integration into sectors of activity that generally face market problems and are less productive and profitable, in addition to a (more) porous dividing line between the business and the household's budget.

Even though working independently may continue to be seen as a way of reconciling income generation with child bearing, the latter is also an obstacle to business activities and performance for women working independently. Although, a priori, these women have a greater margin of manoeuvre—because they are not in a subordinate position as wage earners—responsibility for care also falls on their shoulders. Moreover, they remain excluded from the few care services available for certain formal sectors of the working population.

¹⁶ When women and men working in domestic service are excluded, women's average wage rises from 72% to 85% of that of men over the same period (ECLAC, 2009d).

¹⁷ It should be noted that the fact that women work fewer hours than men in the market is a response to circumstances that are governed by the cultural, social and economic context and should not, in the majority of cases, be considered as the result of a decision freely taken by women.

Box III.13

TOWARDS WAGE EQUALITY BETWEEN MEN AND WOMEN IN LATIN AMERICA

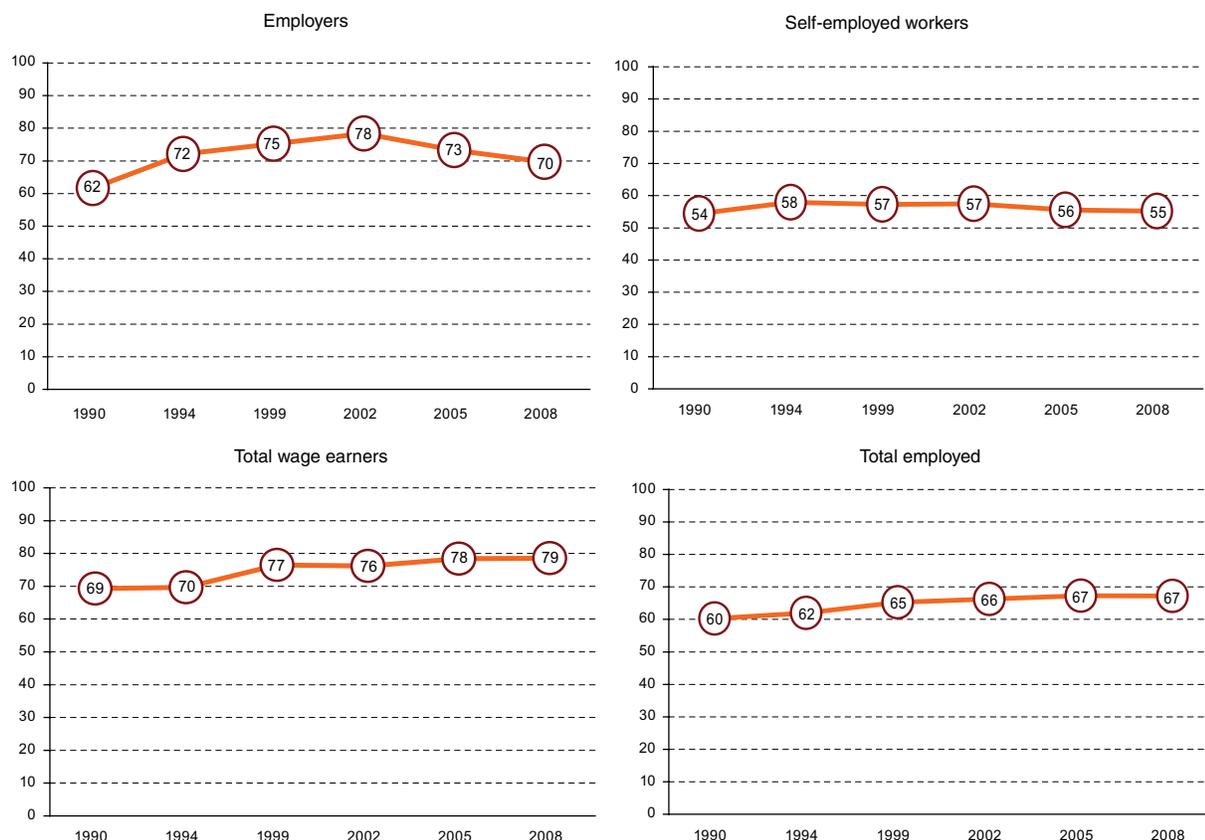
Since the adoption of the Quito Consensus, a number of countries have begun to explicitly establish the obligation of employers to refrain from sex-based discrimination and to respect the principle of equal pay between men and women performing the same work, in their legislation, political constitution and labour code. These initiatives include the following:

- Chile: Law no. 20.348 on wage equality between men and women applies to public- and private-sector employers, since it amends the respective administrative statute to make it applicable to officials employed by the State.

- Colombia: The labour code and its statutory decrees carry provisions relating, among others, to the prohibition of differentiating between men and women with respect to pay.
- Spain: The General Directorate of Work Inspection and Social Security has conducted a specific inspection campaign as part of the 2008-2010 plan of action for oversight of firms' compliance with the provisions on effective equality between men and women.
- Dominican Republic: The principle of equal pay for equal work is recognized in the new Constitution promulgated on 26 January 2010.

Source: Economic Commission for Latin America and the Caribbean (CEPAL), on the basis of national reports prepared by the Governments of Latin America for the eleventh session of the Regional Conference on Women in Latin America and the Caribbean, 2010; Government of Chile, Labour Department, "En vigencia la ley de igualdad salarial entre hombres y mujeres en Chile", 21 December 2009, Employment Inspection Agency [online] <http://www.dt.gob.cl/1601/w3-article-97404.html>.

Figure III.9
LATIN AMERICA (SIMPLE AVERAGE): COMPARISON BETWEEN THE AVERAGE WAGES OF WOMEN AND MEN, EMPLOYED ECONOMICALLY ACTIVE POPULATION
(Percentage)



Source: Economic Commission for Latin America and the Caribbean (ECLAC), on the basis of special tabulations of data from household surveys conducted in the respective countries.

This is one of the main reasons why women working independently, in particular those who are self-employed, tend to work in their own homes more

frequently than men. It is a precarious way of reconciling their care responsibilities and paid activities, despite the disadvantages both for their businesses and for their

autonomy. One of these disadvantages is their isolation from networks that are essential in order to understand the market and gain a position in it.

The burden of reproductive work also explains why women working independently dedicate fewer hours, on average, to paid work than men. This is the

case, for example, in Mexico, for self-employed women, whereas women who are employers work almost the same number of hours as male employers and tend to earn more than the self-employed. It is thus reasonable to imagine that women employers can make greater use of care services.¹⁸

Box III.14
THE DISADVANTAGES OF WORKING AT HOME

Working at home means a greater degree of isolation, since the problem of defining a clear dividing line between work and rest is compounded by the absence of proper working conditions, which may cause health and safety problems for women microentrepreneurs or their families and hamper the microenterprise's development. In addition, women face problems caused by the absence of any division between their own activities in the microenterprise and domestic life, which may have a negative impact on both spheres. Men working at home continue to determine their own working hours and the nature of their work. A woman's day, on the

other hand, is built around the children's day and the needs of the rest of the family (cooking, serving meals and cleaning, among other things). This may have a negative impact on their performance as a microentrepreneur because their working day is frequently interrupted by the need to carry out their domestic work. Another disadvantage faced by women is that, when working at home, their economic contribution tends to become invisible. As a result, negotiations within the family group with a view to sharing domestic tasks and improving the woman's situation in general are more problematic.

Source: María Elena Valenzuela and Silvia Venegas, *Mitos y realidades de la microempresa in Chile. Un análisis de género*, Santiago, Chile, Centre for Women's Studies (CEM), 2001.

F. Employment, social protection and poverty

1. Gender bias in social protection

Social protection institutions in the region are mainly built around a wage relationship and are designed to protect formal workers and their families against the risk of illness, unemployment and old age and at important times of life such as birth and death (ECLAC, 2006). Although the model of the man as worker and provider has lost power, the basic assumption in the system continues to be that he will carry out that role and that through him the wife and other family members will have access to benefits such as social security, health care and housing.¹⁹ In this model, women have no independent entitlement to rights unless they are in formal employment.

In addition, although public social welfare, particularly for health, has been a long-standing feature of life in Latin America and the Caribbean, it is only since the introduction of the neo-liberal paradigm of the 1980s that it has become a basic pillar for social policies. States are now planning to target public social spending to the most disadvantaged sectors of the population and are developing subsidies and basic services for those whose access is based on poverty or social vulnerability. In this framework, women are the channel through which social welfare benefits reach households.

Over the past two decades, social protection has become a mixed scheme, with participation by the Government and the market, combining forms of access to services through a wage relationship or through

certification of poverty or social vulnerability, each of which involves a specific gender bias. In the 1990s, these schemes were reformed to establish “individual capitalization and fixed-contribution schemes to replace or complement the division and fixed-benefit mechanism” (Marco, 2004, p. 241) and “were designed taking into account a typical beneficiary: male, worker in the formal sector, with a sufficient and stable income”.²⁰

The State's revenue collection and spending capacity was at the centre of the debates and decisions on reforming a series of social protection policies and institutions, in the context of a wider debate on the role of the State, of business and other actors in the distribution of wealth and risks. A comparative analysis of fiscal studies and gender equality in Chile, Ecuador, Guatemala and Spain (Pazos and Rodríguez, 2010) shows that, apart from the difference in the amount of social spending in these countries, social protection schemes in Latin America are weakened by the

¹⁸ It is also likely that the demographic structure of the two sectors of the population—self-employed women and women employers—differs. The average age of the latter is older than the former, which may mean that employers do not have the same care responsibilities.

¹⁹ In recent years, some countries have amended their family legislation and eliminated the legal marriage requirement for access to these rights (ECLAC, 2006).

²⁰ Individual capitalization and fixed contribution schemes have been implemented in Argentina, Brazil, Colombia, Costa Rica, Chile, the Dominican Republic, El Salvador, Mexico, Nicaragua, Peru, the Plurinational State of Bolivia and Uruguay. Among this group, Brazil alone used a combination of the two schemes.

State's limited financial capacity as a result of the low fiscal burden, the regressive collection of taxes and the very poor level of fiscal contributions.

Fiscal policy is a crucial tool for State intervention in the economy. By means of its public spending policy, the State can provide the population with the resources, goods and services needed to guarantee basic standards of living.

This also operates unequally as the structure and dynamics of the economic system place men and women in different positions. The implications of fiscal policy have a different gender impact. They can either help to lessen gender inequality or increase it.

In order to evaluate fiscal policy from the perspective of gender equality, its implications for two aspects have to be considered: (i) how it affects access to and control of economic resources by men and women; and (ii) how it affects decision-making by men and women regarding the distribution of work as a whole, both productive and reproductive.

A fiscal policy that is favourable to gender equality will be one that: (i) distributes economic resources better; (ii) increases economic opportunities for men and women; (iii) creates positive incentives for women's entry into the labour market; (iv) lifts the barriers which prevent women's full integration into the labour market, especially those relating to care responsibilities; (v) promotes the involvement of men in providing care; (vi) provides better conditions to enable everyone to reconcile work and family life without having to take low-level jobs; and (vii) gradually shares out the burden of financing public policies.

Applying gender equality to the tax and benefits scheme is not contrary to the principle of economic efficiency. Quite the contrary, as explained above, gender inequality is inefficient. The principles for action by public authorities are fully compatible and complementary if they are applied coherently and without maintaining the sexual division of labour as a restriction. For example, failure to protect single-parent families is, in the first place, contrary to the principle of horizontal equity. Suffice it to consider that single-parent families are, in many instances, subject to lower taxes than married couples. With the same gross income, however, the payment capacity of a single mother with a child is less than that of a couple without children with only one wage earner because a child costs money while a housewife produces goods and services for the home. The traditional tendency to disregard housework means that this factor is not taken into account and an adult woman is viewed as a heavier economic burden than a son or daughter. The principle of vertical equity is also affected as poverty rates in these families are higher than in two-parent families. Lastly, failure to protect single-parent families is the major cause of child poverty and this is a significant factor in inefficiency and externality inasmuch as the well-being and care of children is key in forming human capital (Pazos, 2010).

The relationship between limited fiscal capacity, targeted policies and gender assumptions in the design of social protection has been seen in various forms in social policies over the past decade, and two typical cases will be analysed: social security reforms and conditional transfers.

The inequality of women's income compared with men's, work interrupted by maternity leave, higher unemployment rates and the greater difficulty of returning to the labour market when unemployed (Weller, 2007) have a negative impact on social security benefits for women, because the number and amount of their contributions is lower than for men.

In a comparative analysis of short-term transfers in various activities by sex and age group in some countries in the region, it was noted that men tend to hold more stable jobs than women and when they leave their jobs they mainly become unemployed, which is a reflection of their preference to be employed continuously. Women, on the other hand, leave their jobs more frequently and more often tend to remain economically inactive" (Weller, 2007, pp. 39-40). In Ecuador, for example, the survey of a group of unemployed persons (i.e. those seeking employment) among adults of both sexes showed that, after one month, 32.7% of men had found a job and 6.7% had become inactive. Among the women, only 16.4% had found a job over the same period, and 25.7% had become inactive.

For medium-term periods (from 24 to 36 months) as noted in Ecuador and Peru (Weller, 2007, p. 41), there were also significant differences between the experience of men and women, young and old. Adult men clearly had the most stable relationship with the market and in Ecuador, for example, the majority always worked (85%). This is not the case for women (only 38% always worked), who more frequently leave the labour market and become economically inactive (26.8% compared with 5.2% for men) because of their family responsibilities.

These examples suggest that the discrimination and fewer opportunities faced by women in the market, combined with interruptions for maternity or care, mean a lack of continuity in their work record and consequently an unfavourable social security situation compared with men, even though for men it is also insufficient.

One critical factor in the individual capitalization schemes is the use of life tables differentiated by sex, so because of their longer life expectancy, women's pensions are considerably lower than those of men who have put together a similar pension fund. This model does not include those in formal employment and those who, even though they have a formal job, do not manage to put together sufficient funds to obtain a basic pension, a situation that occurs more frequently among women.

Because of the need for political recognition of these inequalities, commitments have been included in various international agreements signed by Governments, both

at the global and regional levels, in order to implement social security schemes that provide women with sufficient benefits.

The changes adopted mark an important step forward from the gender perspective. Maternity benefits can be considered as compensation, even though inadequate, for the period of work lost, while the measures which increase pensions offset a woman's lower wages. In addition,

universal old-age pensions —although they do not yield sufficient income— delink pension rights from work, which can be considered as social recognition for women who have worked all their lives looking after their families and a step towards a universal concept of the right to social security. The remaining challenges concern the fiscal capacity to give a sufficient income to the adult population as a whole.

Box III.15

SOCIAL SECURITY REFORM FOR WOMEN

One of the explicit goals of the reform of the Chilean pension scheme (Law No. 20.255 of 2008) was to narrow the gap between old-age pensions for men and women. The benefits provided include a basic solidarity old-age pension which, in 2011, will cover 60% of the vulnerable population that has no access to any other type of social security, mainly women, and an old-age social security solidarity benefit, to complement the lowest pensions, usually those of women, who thus become the main beneficiaries of the reform. Furthermore, on reaching 65 years of age all women receive a bonus for each live-born child, which is added to each one's social security fund.

Another important example is Uruguay, where Law No. 18.395 of 2008 made the terms of access to retirement

benefits and pensions more flexible, thereby helping to include more women. At the same time, for the purpose of computing the number of years of paid work, one year is given for each biological or adopted child. In addition, differential supplements are applied to increase the lowest retirement and old-age pensions, of which women are the principal recipients.

Other measures which improve women's social security rights are the non-contributory pensions in Argentina, Barbados, Mexico and Suriname, the benefits for adults such as those in Colombia and the universal old-age pension ("dignity income"), in the Plurinational State of Bolivia.

Source: Sonia Yáñez, "La dimensión de género en la reforma previsional chilena (Ley N° 20.255 de reforma de pensiones)", *Mujer y desarrollo series* No. 101 (LC/L.3199-P), Santiago, Chile, Economic Commission for Latin America and the Caribbean (ECLAC), 2010, United Nations publication, Sales No. S.10.II.G.11; Rosario Aguirre and Lucía Scuro Somma, "Panorama del sistema previsional y género en Uruguay. Avances y desafíos", *Mujer y desarrollo series* No. 100 (LC/L.3190-P), Santiago, Chile, Economic Commission for Latin America and the Caribbean (ECLAC), 2010, United Nations publication, Sales No. S.10.II.G.17 and ECLAC, Review of the Implementation of the Beijing Declaration and Platform for Action and the Outcome of the Twenty-third Special Session of the General Assembly in Latin American and Caribbean Countries, Santiago, Chile, (LC/L.3175) [online] <http://www.eclac.cl/mujer/noticias/paginas/8/36338/ECLACBeijing15.pdf>, 2009.

2. Conditional cash transfers: empowerment of women?

The persistence of poverty in the region has kept this issue at the centre of Governments' concerns. The most common form of intervention since the mid-1990s has been conditional cash transfer programmes. At least 17 Governments are implementing this type of programme, whose distinctive feature is the periodic transfer of money to families provided that they comply with certain obligations, for example, school attendance or regular health checks for boys and girls.²¹ In most cases, women are selected to receive the benefit and are obliged to meet the commitments required by the programme.

According to *Social Panorama of Latin America* (ECLAC, 2009d), these programmes now involve 17% of the population in Latin America and the Caribbean

with financing corresponding to 2.3% of total public social expenditure and 0.25% of GDP in the region.

Some of the most solid and successful poverty reduction programmes include the *Bolsa Familia* programme in Brazil and the Opportunities Programme in Mexico. The transfers involve 0.41% and 0.43% of the GDP, respectively, almost double the regional average. The *Bolsa Familia* programme (2003) caters for over 11 million families and involves over 40 million people. Some 94% of the beneficiaries are women and 69% are black or mixed race families. As a result of this and other programmes, between 2002 and 2007 poverty fell by ten percentage points.

In Mexico, the Programme of Human Development, Opportunities (2002), which is a reworking of the Education, Health and Food Programme (*Progresá*), now reaches five million families living in rural or semi-urban areas and helped to reduce poverty by 11 points between 2002 and 2006. Other countries have set up differentiated transfer schemes with more focused target groups. For example, Argentina created a universal child benefit in 2009, which consists of a monthly

²¹ The 17 countries are: Argentina, Brazil, Chile, Colombia, Costa Rica, the Dominican Republic, Ecuador, El Salvador, Guatemala, Honduras, Jamaica, Mexico, Panama, Paraguay, Peru, the Plurinational State of Bolivia, and Trinidad and Tobago (ECLAC, 2009c).

non-repayable monetary benefit paid to one of the parents or to a guardian or relative for each child under 18 months in their care, conditional upon fulfillment of a plan of regular health checks and compulsory vaccinations. This benefit has had an impact on local commerce and industry.²² In Guatemala, the programme *Mi Familia Progresá* provides conditional monetary transfers as the main social protection instrument for the alleviation of poverty and extreme poverty.²³

The evaluations of these programmes underscored their positive impact on income levels and stability in the most vulnerable households, as well as the effective improvement in school attendance and health checks for boys and girls.²⁴

On the other hand, in terms of the special situation of women, the advantages cannot be considered clear-cut. On the one hand, in all the countries where they are applied, they have given women a certain level of income, which encourages their autonomy and negotiating capacity in the home. On the other, it is

argued that the counterpart contribution required and the actual management of the programme —as well as the simple fact of collecting the benefits— impinges on women's time. Moreover, the transfers may discourage integration into the workforce because in many cases the benefits cease if there is another source of income (Pazos and Rodríguez, 2009). In this regard, we are still half-way along the road between a maternalist programme model and an welfare model, which helps to keep women engaged in care responsibilities at home while at the same time providing monetary income.²⁵ The overriding challenge is to avoid making the poorest women dependent on a provider, which in this case is the State, and to offer a bridge to their entry into the labour market.

Moving towards a more universal transfers scheme that does not discriminate between persons and does not discourage participation in the labour market would be a necessary step forward in making gender implications a positive factor in fiscal transfers.

Box III.16 INCOME TAX IN CHILE

The taxpayer is an individual and there is no possibility of opting for joint taxation for persons living together in legal matrimony. This is one positive element in the Chilean system because: (i) it avoids the discrimination frequently found in joint taxation schemes, which impose a marginally higher tax on the household's second income, which, given gender inequalities in the labour market and in the

distribution of work (whether or not paid), is usually the woman's; (ii) as a result, married women are not discouraged from offering their labour; (iii) the taxation situation does not vary for different households so it does not encourage any particular type of family arrangement (there is no tax incentive to get married or any penalization of single-parent households).

Source: Economic Commission for Latin America and the Caribbean (ECLAC).

3. The transfers gap

As part of their monetary income, families receive transfers,²⁶ which in some cases replace the lack of any short- or long-term social security.²⁷ A look at the sources of transfers shows that the majority of those receiving monetary income by this means are women (61% compared with 39% for men)²⁸.

²² For further information, see national report prepared by Argentina for the eleventh session of the Regional Conference on Women in Latin America and the Caribbean.

²³ See national report prepared by Guatemala for the eleventh session of the Regional Conference on Women in Latin America and the Caribbean, 2010.

²⁴ See Veras Soares, Perez Ribas and Guerreiro Osório (2007), Arriagada and Mathivet (2007) and Hernández and Hernández (2004).

²⁵ Maternalist social policies are those based on promoting and valuing maternity as a feminine experience and the contribution of women to society and in some cases go hand in hand with criticism of the conditions and institutions of maternity, seeking to offset its shortcomings. More authoritarian maternalism is that which makes maternity a responsibility that emphasizes the duties of mothers and not their rights (Bock and Thane, 1991).

²⁶ The term “transfers” means primary and secondary income, which together represent a person's total income. Primary income is divided into four categories: wages and salaries, profits, interest and rent. Transfers between households or from the State are considered secondary income, whether in cash or in kind, together with retirement and old-age pensions, subsidies, family and housing allowances, compensation, transfers between households, alimony and child support and winnings from betting, among others.

²⁷ Although the information provided by the household surveys in 13 countries is by no means uniform, figure III.10 includes the countries where it was possible to compare income. Nevertheless, income from transfers is difficult to compare inasmuch as not all countries measure the same variables. What is measured in all countries is retirement income and pensions. The fact that each country measures these variables in a very different way makes it difficult to describe their trend so it is necessary to include a more homogenous module in household surveys to ask about transfer income.

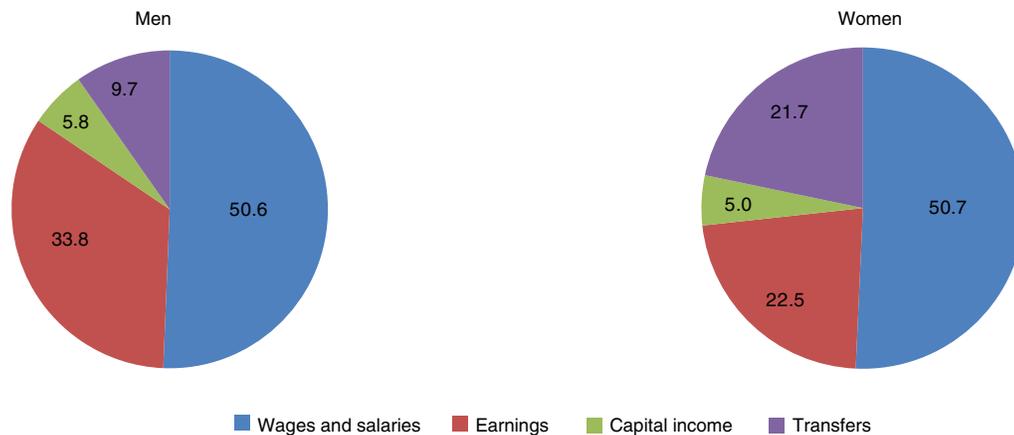
²⁸ This information comes from special tabulations of the data from household surveys carried out in the respective countries circa 2008.

When looked at from the head of household perspective, it can be seen that the percentage of women (47.5%) is double that of men (20.5%).

It is estimated that 62% of the transfers received by men are retirement income, whereas the figure is only

44% for women.²⁹ In general, for women, monetary transfers account for 21.7% of their income, whereas for men the figure is 9.7%. Nevertheless, the average amount received by women is only 71% of that received by men (see figure III.10).³⁰

Figure III.10
LATIN AMERICA (SIMPLE AVERAGE OF 13 COUNTRIES): DISTRIBUTION OF PRINCIPAL INCOME FLOWS IN TOTAL INCOME, POPULATION AGED 15 YEARS AND OVER, NATIONAL TOTAL, CIRCA 2008^a
(Percentages)



Source: Economic Commission for Latin America and the Caribbean (ECLAC), Division for Gender Affairs, household surveys circa 2008.

^a The simple average includes the following countries: Brazil, Chile, Colombia, Costa Rica, Dominican Republic, Ecuador, El Salvador, Guatemala, Honduras, Panama, Paraguay, Plurinational State of Bolivia and Uruguay

G. Poverty

1. Women's contribution to overcoming poverty

Many women still have no opportunity to earn their own income from work. The rate of monetary poverty continues to be high among women, both at the individual level and at the household level when the head is a woman. In Colombia, the gender-responsive approach to employment issues has led to the modification of the legislation on female-headed families and the promotion of women's enterprise and employability.

Without the contribution made by women, poverty would increase on average by 10 and 6 percentage points in urban and rural two-parent households, respectively. Figure III.11 shows the rate of poverty with and without women's contributions in urban and rural areas in various countries. Not only are there variations, but women's contribution to overcoming poverty is greater in Ecuador, Guatemala, Paraguay and the Plurinational State of Bolivia, four of the poorest countries in Latin America (see figure III.11).

The most noticeable feature of women's lack of economic independence is poverty, which is accompanied by lack of freedom and time to move outside the home, as

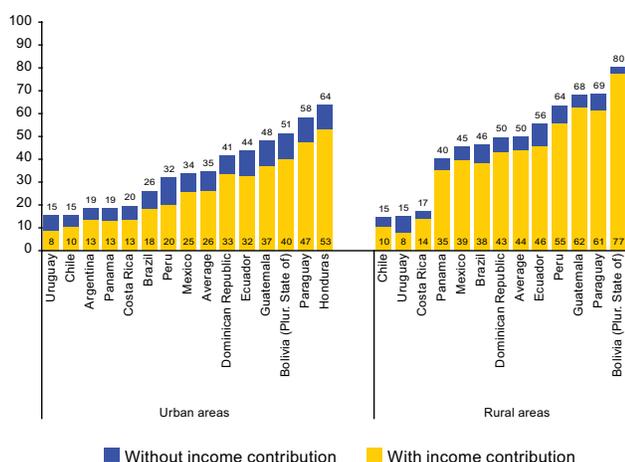
well as exclusion from social protection, making women into welfare subjects with fewer resources to allow them to assert their rights within the family and the community. The majority of women without their own income (73%) are excluded from the labour market, together with the unemployed (11%), even though they have the potential to join it, and also have no social protection (Montaño and Milosavljevic, 2009).³¹

²⁹ It is estimated that remittances are the second largest component, after retirement income, in the transfers received by women (Pérez, 2010). It should be noted that household surveys differ considerably as regards the definition and composition of income and have very diverse ways of collecting and recording data on non-labour income.

³⁰ Transfers to women correspond to twice the poverty line, whereas those to men correspond to 2.8 times the poverty line (Pérez, 2010).

³¹ ECLAC, on the basis of special tabulations of data from household surveys conducted in the respective countries. See also Milosavljevic (2008).

Figure III.11
LATIN AMERICA (15 COUNTRIES): RATE OF POVERTY IN TWO-PARENT HOUSEHOLDS WITH AND WITHOUT CONTRIBUTIONS TO FAMILY INCOME BY SPOUSES, URBAN AND RURAL AREAS, 2008
(Percentages of poor households)



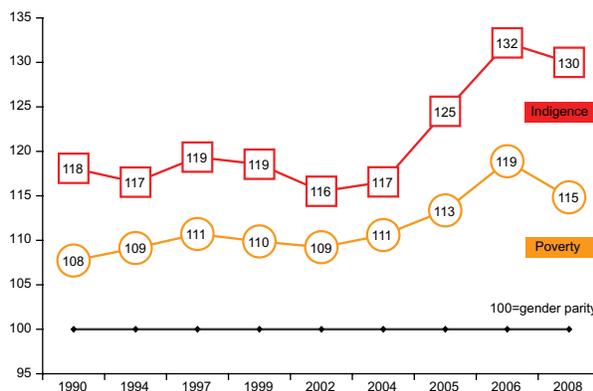
Source: Economic Commission for Latin America and the Caribbean (ECLAC), on the basis of special tabulations of data from household surveys conducted in the respective countries.

2. More poor women

Poverty affects women to a greater extent than men and in the majority of countries in the region the femininity index among the poor exceeds 100. Information for 2008 shows that there are more women than men living in poverty and indigence, even though there has been an improvement of 7 and 12 percentage points, respectively, compared with the 1990s (see figure III.12). “It is important to note that the magnitude of the difference between the number of women and men in poverty cannot be reflected by these figures. The most common method of measuring poverty uses per capita income per household as an indicator of well-being and so does not take into account the allocation of resources within the household” (ECLAC, 2009d).

It should be noted that the femininity index among the poor and indigent increased in the region during the boom period (2004-2008) (ECLAC, 2010b). Although the decline in this index could to a certain extent be related to the redistribution of the fruits of growth—at least real salaries increased by 1.5% annually (ECLAC 2010a)—this redistribution was not sufficient to see a return to the 1990 levels.

Figure III.12
LATIN AMERICA (SIMPLE AVERAGE): FEMININITY INDEX OF POVERTY AND INDIGENCE, ADULT POPULATION AGED 20 TO 59 YEARS, URBAN AREAS, 1990 TO 2008^a



Source: Economic Commission for Latin America and the Caribbean (ECLAC), on the basis of special tabulations of household surveys conducted in the respective countries.

^a The femininity index shows the number of women per 100 men living in poverty or indigence. The index has already been adjusted according to the sex structure of the population.

Countries included in the average for each period:

1990: Argentina, the Bolivarian Republic of Venezuela, Brazil, Chile, Colombia, Costa Rica, Ecuador, Guatemala, Honduras, Mexico, Panama, Paraguay, the Plurinational State of Bolivia and Uruguay.

1994: Argentina, the Bolivarian Republic of Venezuela, Brazil, Chile, Colombia, Costa Rica, Ecuador, El Salvador, Honduras, Mexico, Nicaragua, Panama, Paraguay, the Plurinational State of Bolivia, and Uruguay.

1997: Argentina, Brazil, Chile, Colombia, Costa Rica, Ecuador, El Salvador, Honduras, Mexico, Panama, Paraguay, Peru, the Plurinational State of Bolivia, and Uruguay.

1999: Argentina, Brazil, Chile, Colombia, Costa Rica, Ecuador, El Salvador, Guatemala, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, the Plurinational State of Bolivia, and Uruguay.

2002: Argentina, Brazil, Chile, Colombia, Costa Rica, the Dominican Republic, Ecuador, El Salvador, Guatemala, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, the Plurinational State of Bolivia, and Uruguay.

2004: Argentina, Brazil, Chile, Colombia, Costa Rica, the Dominican Republic, Ecuador, El Salvador, Honduras, Mexico, Panama, Paraguay, Peru and Uruguay.

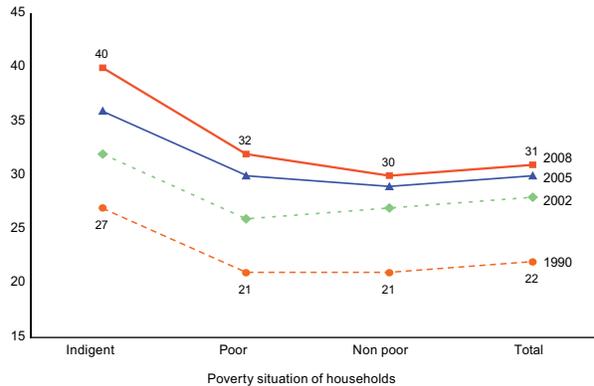
2005: Argentina, Brazil, Chile, Colombia, Costa Rica, the Dominican Republic, Ecuador, El Salvador, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, the Plurinational State of Bolivia, and Uruguay.

2006: Argentina, Brazil, Chile, Costa Rica, the Dominican Republic, Ecuador, Honduras, Mexico, Nicaragua, and Panama.

2008: Argentina, Brazil, Chile, Costa Rica, the Dominican Republic, Ecuador, Guatemala, Honduras, Mexico, Panama, Paraguay, Peru, the Plurinational State of Bolivia, and Uruguay.

The percentage of households headed by a woman in a situation of poverty or monetary indigence also showed a sharp increase. The 13 percentage-point increase in indigent households headed by a woman has to be seen against the increase of only 9 percentage points in the total number of urban households headed by a woman over the same period (see figure III.13).

Figure III.13
**LATIN AMERICA (SIMPLE AVERAGE): HOUSEHOLDS
 HEADED BY WOMEN, URBAN AREAS,
 1990, 2002, 2005 AND 2008^a**
 (Percentages)



Source: Economic Commission for Latin America and the Caribbean (ECLAC), on the basis of special tabulations of data from household surveys conducted in the respective countries.

^a Countries included in the average:

1990: Argentina, Brazil, Chile, Colombia, Costa Rica, Ecuador, El Salvador, Honduras, Mexico, Nicaragua, Panama, Paraguay, the Plurinational State of Bolivia and Uruguay.

2002: Argentina, Brazil, Chile, Colombia, Costa Rica, the Dominican Republic, Ecuador, El Salvador, Guatemala, Honduras, Mexico, Panama, Paraguay, Peru, the Plurinational State of Bolivia and Uruguay.

2005: Argentina, Brazil, Chile, Colombia, Costa Rica, the Dominican Republic, Ecuador, El Salvador, Guatemala, Honduras, Mexico, Panama, Paraguay, Peru, the Plurinational State of Bolivia and Uruguay.

2008: Argentina, Brazil, Chile, Costa Rica, the Dominican Republic, Ecuador, Guatemala, Honduras, Mexico, Panama, Paraguay, Peru, the Plurinational State of Bolivia and Uruguay.

In conclusion, several trends can be noted. In Latin America and the Caribbean, the progress made towards economic independence for women is still limited, a situation whose origin can be found in the rigidity in the way reproductive work is distributed and which is reinforced by the structural heterogeneity and extreme social inequalities that prevail in the region.

In addition, women who are integrated into the paid labour market are concentrated in less productive sectors, both as wage earners and independent workers, receive less income, work under more difficult conditions and receive little social protection.

Globalization of the economy has resulted in flows of labour and capital that have had a marked impact on the forms of labour integration for women, with different job opportunities in their own countries and abroad. These women provide their households and countries with income and resources through remittances, even though their working conditions are precarious.

Increased labour flexibility has impacted women and has adversely affected labour standards. For women who are self-employed, macroeconomic instability has meant their integration into branches that have the lowest productivity but the keenest competition. In all types or sectors of the labour market and in all socio-economic groups, urban or rural areas, women shoulder a much larger burden of work than men. The demands imposed by care responsibilities in the home prevent women from entering the paid labour market, and this is exacerbated by the lack of public services and failure to distribute care responsibilities between the household, the State and the market, as well as between women and men in the home.

Lastly, it must be emphasized that social policies have been aimed at improving women's access to social protection and at combating poverty, with a persistent gender bias, while labour policies and the inadequate institutional structure of the paid labour market have resulted in flexibilization of the female work force. Although there has been some progress, the causes and the structures of paid and unpaid work have not yet been addressed.

Chapter IV

Conclusions and proposals

A. Time for work

As stated throughout the document, the key to ending the primary inequality between men and women is to change the social, political, cultural and, in this case, economic bases that underpin the sexual division of labour.¹ Clearly, work encompasses much more than those tasks performed in the market in exchange for a wage or remuneration and, therefore, the time has come to break the strategic silence maintained over the burden of unpaid work, which falls unfairly on the shoulders of women and for which they receive neither recognition nor compensation. Indeed, time emerges as a strategic resource and unless it is redistributed, equality in paid work —the main source of income for individuals and families— will be impossible to achieve.

The main proposals deriving from the analysis of this issue are as follows:

- Reform the links between the basic institutions of society, the State, the family and the market, through public policies. These institutions need to interact on the basis of a new social covenant for redistributing total work between men and women, in order to make it easier for the latter to enter the labour market under conditions that are in keeping with existing international human rights conventions. As discussed in *Time for equality: closing gaps, opening trails* (ECLAC, 2010a), a fiscal covenant is needed to endow the State with greater capacity to

redistribute resources and play a more active role in promoting equality. There is a substantial margin for strengthening the State's redistributive role, as regards both social spending and the collection of the resources to fund it, especially within the tax structure. Such redistribution should take account of the differentiated needs of the population and should allocate financial and technical resources to ensure that equality comes to form the core of public policies. A redistributive fiscal covenant is required in order to provide universal social security to all citizens, male and female.

- At the initiative of the State, take all the necessary steps, whether legislative, institutional, educational, health-related, fiscal or related to women's participation in decision-making in order to do away with gender biases in the labour market and overcome the wage gap, segmentation and discrimination.
- Guarantee the rights of women in the labour market and within the family so as to create the necessary conditions for them to gain economic and physical empowerment as well as empowerment in all decision-making spheres.
- Build a solid institutional framework with the appropriate regulatory capacity.

1. A new equation for new treatment

To fulfil this mission, the State does not need to become a philanthropic entity or hand over all its power to the market. Under the new equation which is being proposed

¹ Izquierdo (1998) uses the term “primary inequality” to refer to the primary source of differentiation between the sexes (the sexual difference).

—between the State, the market and the family— the focus must be shifted towards policies designed to create stable productive jobs and which provide resources and social infrastructure to ensure that the right of each citizen, whether male or female, to receive care is upheld. As indicated by ECLAC, territory is an important factor and it should play a part in structuring the new economic and social covenant. Under this concept, the issue of care ceases to be relegated to women —as the problem they must solve in order to be able to work— and is attached to the holder of the right: boychild, girlchild, sick person or disabled person.

The questions “What kind of State?” and “What kind of equality?” are answered by proposing the State as the entity responsible for ensuring equal opportunities in the marketplace and democratic practices within the family.

2. Labour and social protection policies

In order to ensure that employment in general and that of women in particular are a source of dignity, it is indispensable to have a policy framework of productive development and territorial development and the resulting fiscal covenant for applying them. To this end, a fiscal covenant is needed that confers greater power on the State for redistributing resources and playing a more active role in the promotion of equality and which avoids gender biases (ECLAC 2010a). Policies that promote equality must be at the centre of these concerns. This implies overcoming the tendency to link such policies exclusively with the social sector.

In this study, care is identified as a socially necessary task which cannot be left to households to resolve internally and which must be addressed through State policies, including measures to lessen the tendency to represent women as being eminently suited to reproductive tasks and other measures to foster the construction of a new identity for men as active fathers. These policies must be geared towards a social contract that recognizes that the bonds underlying inequality are the lack of physical, political and economic empowerment of women.

The points outlined above underscore the imperative need to promote public policies with an active role for the State so that more women can gain access to well-paid productive jobs and can be free to choose their working hours and workplace. The welfare programmes that are geared in particular to women must be temporary to avoid their becoming opportunities that cater for the poor without giving them the chance to develop independent working careers.

Care policies, understood as the interaction between social protection systems, the education system and the health-care system, among others, must be formulated as part of the investment in the social infrastructure indispensable for economic and productive development. From this point of view, in addition to valuing the non-monetary contribution

of women to work and social protection, the cultural stereotypes used to justify their dedication to caregiving must be dissipated.

The preparation of a new agenda for redistributing the work of caregiving and for gender mainstreaming calls for conditions for channelling the disruptive nature of its proposals —which usually defy common sense— and institutional cultures. The mere fact of establishing interconnections between the public and private spheres marks a break with the traditional policy sphere. The systemic approach of gender mainstreaming alters the practice of sectoral policies, since, in order to obtain results, rules, practices and many cultural values must be changed.

3. Empowering women to assert their equality

The obstacles to equitable participation include several forms of discrimination to which women are subjected: the violence that leaves a physical trace, the denial of their reproductive rights and their limited role in all decision-making spheres. In order to achieve equality, a holistic understanding of economics is needed, based on recognition of the fact that labour is also a historical and cultural product —a construct in which individuals’ physical being and subjectivity come into play— and not just a mere factor of production. Factors of production, that is, the persons, are born, nourished and cared for to a great extent thanks to the unpaid work of women.

Women must enjoy equal opportunities in terms of access to the labour market and the barriers to their entry must be removed through policies geared to this effect; moreover, women must make their voice heard publicly in the market and be represented in all decision-making forums, including the legislative branch, the judicial branch, businesses, trades unions and local government. The indicators relating to each of these spheres reveal how deep-seated the obstacles are that prevent women from exercising their autonomy in these spheres.

4. Institutional framework

The change that is proposed requires the virtuous and strategic alignment of social and political forces for taking advantage of the windows of opportunity, such as the demographic dividend, the opening up of the market and the education of women and the productive capacities of the entire population.

As demonstrated by the 15-year review of the implementation of the Beijing Platform for Action, countries have made significant headway in formulating and implementing policies. This has been possible thanks to the strength of a virtuous cycle: the women’s social movement in partnership with the machineries for the advancement of women, which have contributed political strength, knowledge and initiative, taking advantage of the opportunities

Box IV.1

INTEGRALITY OF THE HUMAN RIGHTS OF WOMEN

The principle of the integrality, indivisibility and interdependence of human rights is internationally recognized. This concept has pervaded the recent history of the conquest of women's rights as well as the responses by States which have introduced relevant constitutional reforms. These include the prohibition of discrimination based on sexual orientation by the Bolivarian Republic of Venezuela, Ecuador and the Plurinational State of Bolivia; the regional recognition of the rights of same-sex couples, for example, civil union in the city of Buenos Aires; marriage or union between persons of the same sex, including the right to adopt children, in Mexico City and Uruguay; and the recognition of the rights and duties of unmarried heterosexual and homosexual couples.^a

More specific laws on sexual and reproductive health or more comprehensive laws on health have also been passed.

Source: Author's preparation.

^a The public agenda of the State relating to sexual and reproductive rights, enshrined essentially in the Programme of Action of the International Conference on Population and Development, which was adopted in Cairo, but preceded by a significant number of international treaties and subsequently endorsed by the Beijing Platform for Action, was the outcome of intergovernmental agreements, promoted and supported by civil society and international cooperation agencies.

The important point with respect to these changes is that, unlike any other reform, they have given rise to political and social debates in parliaments as well as in the executive and judicial branches, with far-reaching repercussions in the mass media. In some cases, laws approved by the parliaments have been vetoed by Presidents and in others no parliamentary support has been received for the relevant initiatives. The question of physical autonomy is subject to critical debate in most countries. In Colombia, for example, abortion has been decriminalized in three cases (rape, risk to life and health, and malformation of the foetus) and in Spain the legislature approved Law 2/2010 on sexual and reproductive health and voluntary termination of pregnancy, which attunes Spanish legislation with legislation in other European States.

opened up by the political will of Governments. In this regard, the machineries for the advancement of women play an important role of coordination, in some cases, as policymaking entities and, in others, as mechanisms for political impact.

An institutional network has been developed thanks to studies, gender analyses, statistics, bills, training programmes, accountability systems, cross-party congressional groups, associations of female judges, women mayors and a broad range of secondary mechanisms. This network has facilitated the dissemination of the gender analysis and many other achievements including improvements in social and political conditions that had held back the gender agenda (Fernós, 2010).

In terms of knowledge, solid evidence and theoretical reflections have been built up, as a result of the attention paid in past decades to social issues, poverty, vulnerability and human rights. Thus, new paths in the feminist economy and new economic approaches have emerged which challenge the epistemological bases of conventional studies, especially in the field of the care economy.² These studies provide new arguments that must be invoked in order to support the design and implementation of policies for redistribution of total work and especially the work of

caregiving. The success has been commensurate with the degree of coordination and efficacy of the host of political stakeholders involved.

These changes do not depend solely on the strength of the women's social movement, but clearly if this movement is not able to establish a political agenda, the process will be slower and fragmented. Nor do they depend only on the importance attached by the Government to plans for equality, although the political will is indeed a determining factor.³ They do not depend on available material resources, but certainly the capacity to finance policies is important. Knowledge is not enough, although it may be essential, since it is these, at times merely symbolic, networks which give meaning to such knowledge, budgets and institutions. Gender policies make it imperative to restore to the State a multidimensional vision in which aspects of democracy are combined with those of governance or the capacity to implement public policies (Montaño, 2010).

If it were necessary to identify one factor that would be decisive for the success of policies on equality, there is no doubt that the determining factor would be political will. While there is no doubt that experience has demonstrated the need to produce a linkage between inclusion on the gender equality agenda, knowledge-building, the impact on public policymaking and an appropriate allocation of resources and implementation, none of this can prosper unless the political and cultural barriers are broken down. On the contrary, when countries obtain the political commitment of heads of State and other authorities,

² The most significant studies in this regard were the World Survey on the Role of Women in Development (United Nations, 2009b), the studies of the International Association for Feminist Economics (IAFFE) (see [online] <http://www.iaffe.org>), and those carried out by centres for economic studies and networks such as the Gender and Macroeconomic Group for Latin America and the Caribbean (GEM-LAC), and the documents of the United Nations Research Institute for Social Development (UNRISD), particularly in the framework of the project entitled Political and Social Economy of Care (see [online] <http://www.unrisd.org>).

³ All countries have some type of equality plan, but only a few have enacted laws and have a large enough budget to implement such a plan.

qualitative leaps can be made. This leads to a virtuous cycle conducive to the formulation of policies for equality.

Governments must strengthen national machineries for the advancement of women, give them a higher place in the hierarchical structure, and provide them with the resources and capacity necessary for effectively mainstreaming the gender perspective, notably in economic policies. They must also overcome the tendency to reduce the role of these machineries to the social and family sphere and open up an intersectoral, inter-agency and social dialogue on women's empowerment. The point is to recognize the regulatory status of the machineries for the advancement of women and to establish institutional channels so that gender mainstreaming of policies for equality is the result of long-term public policies and is endowed with the budget, technical capacity and sufficient political power for interacting on an equal footing with all the State agencies involved. In order to strengthen the gender machineries in the region, account must be taken of the need to bring them into the mainstream of the State structure. Specifically, institutional channels must be put in place to ensure that equality policies achieve a cross-cutting impact through long-term public policies with budget allocations, technical capacity and sufficient political clout.

This document concurs with the conclusions contained in the study United Nations (2009b), which

points out that the assumptions underlying the free-market policies and the reduction of the role of the State in the recent past have not resulted in a more efficient allocation of resources in all countries. The crisis which broke out in 2008 has exacerbated the inequalities and jeopardizes the advances of past decades. On the whole, the policies adopted for confronting it perpetuate gender biases because they encourage the distribution of resources in the form of welfare and microcredit for women instead of changing the way work is carved up under the sexual division of labour. Educational policies do not facilitate this change either.

In short, the State being advocated is an open, democratic, participatory and egalitarian State and the equality being advocated is the equality that derives from the full exercise of rights, in other words, effective entitlement to rights. The State being envisioned is one where women have a voice in decision-making processes and which ushers in justice and recognition of the needs and capabilities of all persons, especially women involved in caregiving. Only under these circumstances will it be possible to avoid their entry into the labour market occurring under conditions of exploitation and time poverty.

This is the challenge facing contemporary societies and this is also the reason why States must, as an expression of democracy, seek to incorporate equality as a pillar of development.

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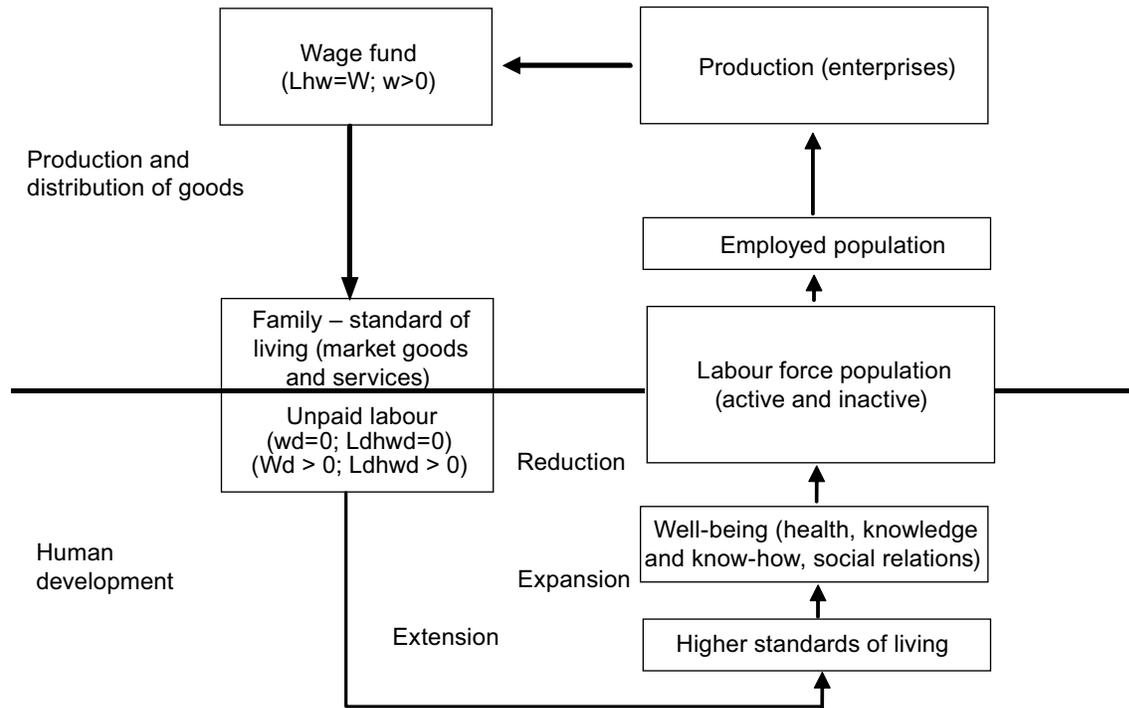
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Annexes

Annex 1
EXPANDED CIRCULAR FLOW OF INCOME



Source: A. Picchio, "Un enfoque macroeconómico ampliado de las condiciones de vida", *La organización del cuidado de niños y niñas en Argentina y Uruguay*, Mujer y desarrollo series, No. 90 (LC/L.2844-P/E), Corina Rodríguez, Santiago, Chile, Economic Commission for Latin America and the Caribbean (ECLAC), 2007.

Annex 2
**RECOMMENDATIONS FROM THE WORLD SURVEY ON THE ROLE OF WOMEN IN DEVELOPMENT,
 REPORT OF THE SECRETARY-GENERAL, 2009¹**

To ensure women's equitable access to and control over economic and financial resources, Member States should fully implement the commitment to gender equality and the empowerment of women contained in the Beijing Platform for Action, the outcome of the twenty-third special session of the General Assembly and the Millennium Development Goals. States parties to the Convention on the Elimination of All Forms of Discrimination against Women should fully implement their obligations under the Convention.

To that end, Member States, international organizations, including the United Nations, the private sector, non-governmental organizations, trade unions and other stakeholders may wish to also take the following actions:

(a) The macroeconomic environment:

- (i) Strengthen efforts to implement the gender mainstreaming strategy by identifying and addressing gender perspectives in relation to all economic and financial resources, including through the use of gender analysis, gender-impact assessment and gender-responsive budgeting processes;
- (ii) Undertake and disseminate a gender analysis of policies and programmes related to macroeconomic stability, structural reform, taxation, investments, including foreign direct investment, and all relevant sectors of the economy;
- (iii) Link policies on economic and social development to ensure that all people, including poor and vulnerable groups, benefit from economic growth and development, in accordance with the goals of the Monterrey Consensus;
- (iv) Develop and implement gender-sensitive employment-centred growth strategies, based on full and productive employment and decent work for all women and men;
- (v) Adopt appropriate measures to identify and address the negative impacts of the economic and financial crisis on women and girls and maintain adequate levels of funding for gender equality and the empowerment of women;
- (vi) Design stimulus packages in response to the financial crisis that provide gender-sensitive investments in both physical and social infrastructure and in employment and that take into account both paid and unpaid work and the situation of particularly vulnerable groups, such as migrant women;
- (vii) Carry out and disseminate a gender analysis of revenues and expenditures in all policy areas and incorporate the results into resource mobilization and budget planning, allocation and evaluation;
- (viii) Further develop methodologies, tools and capacities for gender-responsive budget processes to ensure the systematic incorporation of gender perspectives in all budget and planning processes;
- (ix) Develop progressive taxation systems that compensate for gender biases in revenue-collection systems, and enhance tax revenues through more efficient tax collection, broadening the tax base and effectively combating tax evasion;
- (x) Ensure that national development plans, poverty-reduction strategies, strategies for implementation of the Millennium Development Goals and other macrolevel planning instruments and processes give adequate consideration to strengthening women's access to and control over economic and financial resources;
- (xi) Strengthen the focus and impact of development assistance targeting gender equality and the empowerment of women and girls through both gender mainstreaming and the funding of targeted activities as well as enhanced dialogue between donors and partners, and strengthen mechanisms to effectively measure the resources allocated to incorporating gender perspectives in all areas of development assistance;
- (xii) Take steps to reduce the cost of remittance transfers by encouraging competition; require that transfer companies provide accurate information regarding fees and exchange rates; monitor the safety and security of the transfers; and provide financial literacy training to both the migrant women who send remittances and those who receive them;
- (xiii) Adopt measures to ensure the equal representation of women in all areas of economic decision-making, including at the highest levels in the relevant Government ministries, international organizations, corporate boards and the banking sector;
- (xiv) Improve the collection, compilation and use of data on women's participation in economic decision-making bodies;

(b) Full and productive employment and decent work:

- (i) Adopt and enforce the principles of decent work in both formal and informal sectors, as contained in ILO Conventions Nos. 100, 111, 156 and 183, giving due consideration to gender equality perspectives in implementation;
- (ii) Develop and adequately resource active labour market policies on full and productive employment and decent work for all, including the full participation of women and men in both rural and urban areas;

¹ 1/A/64/93, June 2009.

- (iii) Undertake a gender analysis of national labour laws and standards and establish gender-sensitive policies and guidelines for employment practices, including for transnational corporations, with particular attention to export processing zones, building on multilateral instruments, including the Convention on the Elimination of All Forms of Discrimination against Women and ILO conventions;
 - (iv) Adopt and/or review, and fully implement, gender-sensitive legislation and policies that reduce, through specifically targeted measures, horizontal and vertical occupational segregation and gender wage gaps;
 - (v) Enforce minimum-wage regulations in both formal and informal sectors and ensure equal wages for work of equal value;
 - (vi) Develop and maintain statistical instruments to measure, in quantitative and qualitative terms, unpaid work that is outside national accounts to better reflect its value in policies, strategies, plans and budgets across all relevant sectors;
 - (vii) Strengthen the capacity of national statistical offices to effectively undertake a comprehensive collection of statistics on all categories of activities, including the implementation of time-use surveys, to inform policy development that facilitates the sharing of unpaid work between women and men;
 - (viii) Promote greater recognition that care work should be shared between the State, the private sector, civil society and households, as well as between women and men, and strengthen dialogue and coordination between all relevant stakeholders;
 - (ix) Develop and/or expand the provision of quality and affordable public care services for children, the elderly, the sick and people living with disabilities and with HIV/AIDS; and ensure that such services meet the needs of both caregivers and care recipients in terms of proximity, opening hours and cost;
 - (x) Adopt and implement legislation and policies to promote the reconciliation of work and family responsibilities, including through increased flexibility in working arrangements such as part-time work; and ensure that both women and men have access to maternity, paternity, parental and other forms of leave, and are not discriminated against when availing themselves of such benefits;
 - (xi) Encourage men, through training, education and peer programmes, to participate fully in the care and support of others, including older persons, persons with disabilities, people living with HIV/AIDS, sick persons, children and other dependants;
 - (xii) Strengthen efforts to protect the rights of, and ensure decent work conditions for, domestic workers, including migrant women, in relation to, inter alia, working hours, conditions and wages, access to health-care services, and other social and economic benefits;
 - (xiii) Take specific measures to address stereotypes relating to the employment of both women and men, including through awareness-raising and advocacy and identifying positive role models;
 - (xiv) Take appropriate measures to reduce inequality in education at all levels, particularly the secondary level, in order to address the constraints to women's full participation in the labour market, in particular in relation to access to education and training in science and technology, including information and communications technology;
 - (xv) Promote lifelong learning and equal access of women to vocational and workplace education and training programmes and innovative information and communications technology programmes, including in non-traditional areas and in leadership and management programmes, giving particular attention to unemployed women and women re-entering the labour market;
 - (xvi) Encourage women's participation in male-dominated fields of study and employment and training and men's participation in female-dominated fields;
 - (xvii) Safeguard and promote the right to organize and bargain collectively; facilitate women's participation and representation in social dialogues; and include gender equality issues in social dialogue agendas;
 - (xviii) Adopt policies and support mechanisms that create an enabling environment for women's organizations and networks, including self-help groups and workers' organizations and cooperatives, in particular groups which support the educational and employment opportunities of vulnerable groups such as migrant women, indigenous women and women with disabilities;
- (c) Land, housing and other productive resources:**
- (i) Adopt and/or review legislation and policies to ensure women's equal access to and control over land, housing and other property, including through inheritance, land reform programmes and land markets, and give due attention to enforcement;
 - (ii) Take measures to facilitate equitable access to land and property rights by providing training to make the judicial and administrative system more responsive to gender equality issues; provide legal aid for women seeking to claim their rights; support the efforts of women's groups and networks; and carry out awareness campaigns to draw attention to equal rights for women to land and property;
 - (iii) Develop, document and disseminate innovative approaches to ensuring women's equal access to land, housing and other property, including the provision of subsidized credit and support for women's collective efforts;

- (iv) Take measures to address the discriminatory elements of customary law in relation to land and property rights and build on gender-sensitive and progressive aspects;
 - (v) Strengthen efforts and investment to increase the productivity of rural women's work through improved access to credit and savings; to critical infrastructure and services, such as transport, energy, water supply and sanitation, extension services and markets; and to appropriate technologies, including information and communications technology;
 - (vi) Recognize and protect, through appropriate measures, women's existing access to communal resources, including forests, wetlands and commons;
 - (vii) Increase investment in programmes providing water supply and sanitation to rural areas and urban slums through consultative and participatory processes, to increase health and well-being, relieve the workloads of women and girls, and release their time and energy for other productive activities, including entrepreneurship;
 - (viii) Take measures to ensure the full participation of women in planning and decision-making on forest and water management and increase the number of women participating in training programmes;
 - (ix) Ensure the active participation of women in user groups established around essential productive resources, such as water and forests, through the establishment of targets, training programmes and other incentives to ensure women's participation in critical decisions on the allocation of resources;
 - (x) Review agricultural policies and strategies to ensure that women's critical role in food security is recognized and addressed as an integrated part of both short- and long-term responses to the food crisis;
 - (xi) Take measures to integrate women, on an equal basis with men, in planning and decision-making and in the implementation of adaptation and mitigation initiatives in efforts to combat climate change, and ensure their access to related financial resources and technologies;
 - (xii) Develop strategies to increase resource allocation to women's off-farm income-generation activities, including through access to financial services and improved technologies;
 - (xiii) Promote and facilitate the equal access of women and girls, including those living in rural areas, to information and communications technology, through, for example, access to telecentres responsive to the priorities and needs of women as well as men; education and training on the use of such technologies for networking, advocacy, exchange of information and business and education activities; and opportunities to develop appropriate content;
 - (xiv) Strengthen efforts and increase resource allocations to meet basic housing needs through affordable housing programmes, based on consultative and participatory processes involving women as well as men;
 - (xv) Take steps to revise laws and abolish practices that discriminate against women and deny them security of tenure and equal access to adequate housing;
 - (xvi) Increase consultation with and the participation of women in all decisions on the allocation of public resources and the development of critical infrastructure and services, such as transport and water, in particular in urban slums and rural areas, to ensure that these meet the priorities and needs of both women and men;
 - (xvii) Support increased research and data collection on women's access to and control over land, housing, property and other productive resources, to inform policy and strategy development;
- (d) Financial services:**
- (i) Promote gender mainstreaming in all policies and programmes in the financial sector through the systematic use of gender analysis and gender impact assessments;
 - (ii) Identify and address the specific constraints faced by women in accessing formal financial services, including savings, credit, insurance and money-transfer services;
 - (iii) Take all appropriate measures to identify and address discrimination against women in access to and control of bank loans, mortgages and other forms of financial credit, giving special attention to poor women;
 - (iv) Take appropriate measures to ensure that the organizational mandates, objectives and institutional arrangements of all financial providers have an explicit commitment to gender equality and that women benefit fully from the expansion of services;
 - (v) Strengthen the capacity of existing and emerging microcredit institutions to reach poor women in both rural areas and urban slums;
 - (vi) Ensure that microfinance programmes focus on developing savings products that are safe, convenient and accessible to women in their efforts and support women to retain control over their savings;
 - (vii) Develop methodologies and tools, including indicators, to ensure more systematic and effective monitoring of the impacts of microfinance through both formal and informal channels, including on income, wellbeing and other social indicators;
 - (viii) Assess the impact of the growing commercialization of microfinance on women's access to and control over financial resources;
 - (ix) Create a climate that is conducive to increasing the number of women entrepreneurs and the size of their businesses by giving them greater access to financial

instruments, providing training and advisory services, facilitating networking and information-sharing, and increasing their participation in advisory boards and other forums to contribute to the formulation and review of policies and programmes being developed by financial institutions;

- (x) Promote the equal representation of women in decision-making at all levels in both formal and informal financial institutions;
- (xi) Support research and data collection, and the effective dissemination of findings, on women's needs and priorities, access to both formal and informal financial services, and the impact and appropriateness of such services;

(e) Social protection:

- (i) Increase the share of public expenditure allocated to basic social security to address vulnerabilities related to childhood, old age, ill health, disability and unemployment and other life crises;
- (ii) Develop and improve adequate, sustainable and gender-responsive social protection schemes, including social insurance and pension and savings schemes, that meet basic minimum needs throughout the life cycle, and recognize leave periods for caregiving in the calculation of respective benefits;
- (iii) Ensure that social protection measures such as health insurance and child and family allowances, and information on those benefits, are accessible for all workers, including migrant workers and women in the informal sector, and that these measures do not reinforce gender biases;
- (iv) Review, strengthen and expand social protection to adequately meet the needs of people living in

poverty, taking into account women's specific needs and priorities related to the unequal sharing of unpaid work;

- (v) Ensure that the development of employment-guarantee policies and programmes, as well as family-based cash-transfer programmes, are based on a gender analysis which takes into account the needs and priorities of women and men and do not reinforce gender biases;
- (vi) Take measures to ensure that older women and women with disabilities secure equal access to basic social services, appropriate social protection/social security measures, with particular attention to women living in poverty in rural areas and urban slums, to enable them to lead independent and healthy lives;
- (vii) Develop minimum pensions that are independent of years of contribution to ensure that basic minimum needs are met, and recognize leave periods for caregiving in the calculation of pension benefits;
- (viii) Ensure universal access, on the basis of equality between women and men, to appropriate, affordable and quality health-care services for women and girls throughout the life cycle;
- (ix) Take innovative measures, as required, to extend basic health insurance coverage to all;
- (x) Increase bilateral and multilateral assistance aimed at ensuring the provision of gender-responsive basic social services;
- (xi) Improve the collection, compilation and dissemination of timely, reliable, comparable data disaggregated by sex and age, and further develop quantitative and qualitative indicators to increase capacity to measure access to and the impact of social protection measures throughout the life cycle.

Annex 3 STATUS OF INFORMATION

The quantitative indicators presented in this report come from official statistical sources of the countries and in some cases from international agencies that collect and systematize national data.

Most of the data correspond to the most recent information available. Cases of data not updated to the current period are mainly the result of lags between the collection of data and the preparation of the databases for processing and analysis. For some indicators, previous data are used to illustrate the magnitude of an ongoing problem and to underscore the fact that national statistical systems have not yet collected or updated their information.

Many of the figures give regionally aggregated statistics (simple averages of statistics from the countries) so as to highlight a phenomenon common to the countries but which does not necessarily correspond to any of them in particular. For information on a given country, the statistical database of ECLAC, CEPALSTAT, should be consulted.¹

The disaggregation of data has not always made it possible to reflect the particular situation in each country of the region or to convey the range of situations of specific population groups, since information on certain topics is not collected in a systematic, periodic and reliable manner or so as to include population groups with given common characteristics. It should be noted, however, that the countries of the region are beginning to create information systems that contain data disaggregated by sex so as to gauge the societal differences for men and women. In late 2009, Paraguay created a Gender Unit within the General Department of Surveys, Statistics and Censuses.² In the same year, ECLAC signed an agreement with the Public Ministry of Peru to establish best practices for compiling information on violence against women.

A brief description of the sources consulted for some of the key indicators of the Gender Equality Observatory for Latin America and the Caribbean is given below.

Household surveys

The indicators on employment, on poverty and income, on the situation of households and on families come from the household surveys of the countries for which information is available in ECLAC databases. These indicators were obtained by using standardization algorithms. The low coverage of surveys of this type among the countries of

the Caribbean is reflected in the lack of information from them as compared with that available for the remaining countries of the region, and, in some cases, existing information was not available for processing at the time of writing. Table 1 shows the number of censuses and household surveys regularly produced in each subregion.

Table 1
**LATIN AMERICA AND THE CARIBBEAN (41 COUNTRIES):
AVAILABILITY OF STATISTICAL INFORMATION, 2008^a**

	Total	Countries that have conducted a census in the past 10 years		Existence of a regular programme of employment surveys or multi-purpose surveys	
		Number	Percentage of total	Number	Percentage of total
The Caribbean	21	21	100	8	38
Latin America ^b	20	19	95	16	80
Latin America and the Caribbean	41	40	98	24	58

Source: United Nations, Economic Commission for Latin America and the Caribbean: development of official statistics in the region. Note by the Secretary-General (E/CN.3/2010/16), New York, December 2009, and national data.

^a Many Caribbean countries have conducted at least one multi-purpose survey, employment survey or survey of living conditions in recent years, although only three have programmes for the regular implementation of household surveys.

^b Includes Haiti.

Time-use surveys

To measure time use both for unpaid domestic work and for paid work and thus estimate the total workload of individuals, the publications from each country on these common indicators were consulted. For three countries, ECLAC data were used to estimate values for this indicator. Nevertheless, there are wide variations between the surveys that were consulted since the definitions and calculations used by the different countries are not standardized. In essence, this means that the magnitudes were not calculated according to the same comparability parameters, mainly owing to the absence of a common activities classifier (in addition to differences in definitions, units of analysis, age limits, reference periods and geographic coverage, among others). Regardless of the methodology used, however, all of the findings have shown similar trends for men and women in terms of the distribution of time and level of participation in paid and unpaid work.

¹ See Gender Equality Observatory for Latin America and the Caribbean <http://websie.eclac.cl/sisgen/ConsultaIntegrada.asp?idAplicacion=17&idTema=222&idIndicador=1345>.

² See the report submitted by Paraguay at the eleventh session of the Regional Conference on Women in Latin America and the Caribbean.

Censuses

Information for the adolescent maternity indicator was drawn from the censuses.³ This indicator corresponds to women aged 15 to 19, who, at the time of the census, had at least one live-born child (does not include pregnant women). The dates indicated correspond to the last two censuses conducted in each country.

Demographic and health surveys

Another information source that provides a proxy for adolescent fertility is the demographic and health survey, from which it is possible to obtain the indicator on the percentage of adolescent girls who are mothers by measuring the proportion of adolescents who are mothers or pregnant for the first time when the survey is carried out. It is calculated by dividing the number of women aged 15 to 19 years who have been delivered of at least one live-born child or who are pregnant by the total number of women in this age group, multiplied by 100.

Information available in the Caribbean

There are still gaps in the statistical information produced in the Caribbean even though some significant initiatives to address this are being implemented. The Working Group on Gender Statistics of the Statistical Conference of the Americas of ECLAC and the Gender Equality Observatory for Latin America and the Caribbean of ECLAC are carrying out a series of activities to improve the gathering of information on economic autonomy, physical autonomy and autonomy in decision-making. Some countries have initiated major programmes in this regard, for example, Jamaica is gathering information disaggregated by sex in various sectors, monitoring statistics on violence against women as a public health problem, and collecting disaggregated information on issues such as the sexual behaviour, attitudes and perceptions of young adults.⁴ Suriname is preparing a

³ Latin American and Caribbean Demographic Centre (CELADE) - Population Division of ECLAC, on the basis of special processing of census microdata. All calculations on adolescent maternity were obtained by processing census microdata. "Decline to answer" was systematically attributed to nulliparity (zero live-born children). In Peru, cases outside of range in 1993 were excluded. Cuba has not included questions on children born alive in recent censuses. Census microdata for Haiti are not yet available at CELADE - Population Division of ECLAC. Results for Colombia covering the 2004-2005 period and 2007 results for Peru are based on information obtained from the web pages of the National Administrative Department of Statistics and National Institute of Statistics and Informatics, respectively. For Spain, A. López and others (2005), *Informe Juventud en España 2004*, Madrid, INJUVE, table 1.49 (approximate estimate); for Portugal: United Nations Economic Commission for Europe, "Fertility and Family Survey (FFS) 1997", table 12, standard country tables, [online], http://www.unece.org/pau/ffs/f_h_151b.htm, consultation date: 4 April 2008.

⁴ See the report by Jamaica submitted at the eleventh session of the Regional Conference on Women in Latin America and the Caribbean.

time-use survey on the contribution of women and men to the economy and to social protection, especially in relation to paid and unpaid work.

Other sources of information

Measuring maternal mortality⁵ is extremely difficult and complex given the information currently available. The lack of data or the questionable reliability of data is a recurring criticism among experts and in the literature on the subject. This document refers to the indicator on the maternal mortality ratio (defined as the number of maternal deaths per 100,000 live births). The data is from the official website of the United Nations on the Millennium Development Goals (see [online] <http://mdgs.un.org/>), which uses the estimates, last updated in 2005, of the inter-agency maternal mortality working group composed of the World Health Organization (WHO), the United Nations Children's Fund (UNICEF), the United Nations Population Fund (UNFPA) and the World Bank.⁶

With regard to gender-based violence, the number of women killed at the hands of their intimate partners or former partners was obtained from data provided by the machineries for the advancement of women from administrative records mainly from branches of the judiciary. The data in this report are from Chile, Costa Rica, the Dominican Republic, Paraguay, Peru and Spain. This type of data does not appear to be collected by national statistical offices of the region (apart from in Guatemala, which records the violent deaths of women), which, among other things, is evidence of an absence of definitions and specific methodologies for systematizing the data relating to these serious acts. This lack of data prevents cross-national comparative studies from being carried out.⁷

The information on the political participation of women was obtained from various sources. With regard to legislative power, the percentage of women in the main national legislative body was taken from the Inter-Parliamentary Union (IPU), which updates regularly its online database with official information from national parliaments.

As to executive branch, the information pertaining to the indicator on the percentage of women in ministerial cabinet positions was provided for the most part by the machineries for the advancement of women and was up to date for 2009.

In the case of the judicial branch, the indicator on the percentage of women judges in the highest court or supreme court was put together from data gathered by the highest court of each country and verified by the machineries for the advancement of women in 2009.

⁵ Maternal mortality per 100,000 live births, 1990 and 2005 [online]: http://mdgs.un.org/unsd/mdg/Resources/Static/Products/Progress/2009/MDG_Report_2009_Es.pdf.

⁶ See [online] http://www.who.int/whosis/mme_2005.pdf.

⁷ See Agencia de Prensa del Mercosur, *Especial femicidio: La mujer, víctima del asesinato masivo y sistémico*, [online] <http://www.surysur.net/?q=node/11089>.

For the percentage of female elected mayors and the percentage of female city council members, the International Research and Training Institute for the Advancement of

Women (INSTRAW) is responsible for gathering information from electoral bodies and machineries for the advancement of women of the 18 countries analysed in 2009.

Table 2
HOUSEHOLD SURVEYS USED FOR MEASURING INDIGENCE AND POVERTY, 1990-2008

Country	Year	Survey	Geographic coverage	Reference period of the survey
Argentina	1990	Permanent household survey	Urban areas (metropolitan area)	October
	1994	Permanent household survey	Urban areas (20 conurbations)	October
	1997	Permanent household survey	Urban areas (28 conurbations)	October
	1999	Permanent household survey	Urban areas (20 conurbations)	October
	2002	Permanent household survey	Urban areas (32 conurbations)	October
	2004	Permanent household survey	Urban areas (28 conurbations)	2nd half
	2005	Permanent household survey	Urban areas (28 conurbations)	2nd half
	2006	Permanent household survey	Urban areas (31 conurbations)	2nd half
Bolivia (Plurinational State of)	1989	Comprehensive household survey	Capital cities and El Alto	November
	1994	Comprehensive household survey	Capital cities and El Alto	July-December
	1997	National employment survey	National	November
	1999	Continuous household survey	National	November
	2002	Household survey	National	Nov.-Dec.
	2004	Continuous household survey	National	Nov. 2003- Nov. 2004
	2007	Continuous household survey	National	Year
Brazil	1990	National household sample survey	National	September
	1993	National household sample survey	National	September
	1996	National household sample survey	National	September
	1999	National household sample survey	National	September
	2001	National household sample survey	National	September
	2003	National household sample survey	National	September
	2004	National household sample survey	National	September
	2005	National household sample survey	National	September
	2006	National household sample survey	National	September
	2007	National household sample survey	National	September
	2008	National household sample survey	National	September
Chile	1990	National socio-economic survey - CASEN	National	November
	1994	National socio-economic survey - CASEN	National	November
	1996	National socio-economic survey - CASEN	National	November
	1998	National socio-economic survey - CASEN	National	November
	2000	National socio-economic survey - CASEN	National	November
	2003	National socio-economic survey - CASEN	National	November
	2006	National socio-economic survey - CASEN	National	Nov.-Dec.

Country	Year	Survey	Geographic coverage	Reference period of the survey
Colombia	1991	National household survey - labour force	National	December
	1994	National household survey - labour force	National	September
	1997	National household survey - labour force	National	September
	1999	National household survey - labour force	National	September
	2002	Continuous household survey	National	Year
	2004	Continuous household survey	National	Year
	2005	Continuous household survey	National	Year
Costa Rica	1990	Multi-purpose household survey	National	July
	1994	Multi-purpose household survey	National	July
	1997	Multi-purpose household survey	National	July
	1999	Multi-purpose household survey	National	July
	2002	Multi-purpose household survey	National	July
	2004	Multi-purpose household survey	National	July
	2005	Multi-purpose household survey	National	July
	2006	Multi-purpose household survey	National	July
	2007	Multi-purpose household survey	National	July
	2008	Multi-purpose household survey	National	July
Dominican Republic	2002	Labour force survey	National	October
	2004	Labour force survey	National	October
	2005	Labour force survey	National	October
	2006	Labour force survey	National	October
	2007	Labour force survey	National	October
	2008	Labour force survey	National	October
Ecuador	1990	Survey of employment and unemployment in urban areas	Urban areas	November
	1994	Survey of employment and unemployment in urban areas	Urban areas	November
	1997	Survey of employment and unemployment in urban areas	Urban areas	November
	1999	Survey of employment, underemployment and unemployment in urban areas	Urban areas	November
	2002	Survey of employment, underemployment and unemployment in urban areas	Urban areas	December
	2004	Survey of employment, underemployment and unemployment in urban and rural areas	National	August
	2005	Survey of employment, underemployment and unemployment in urban and rural areas	National	December
	2006	Survey of employment, underemployment and unemployment in urban and rural areas	National	December
	2007	Survey of employment, underemployment and unemployment in urban and rural areas	National	December
	2008	Survey of employment, underemployment and unemployment in urban and rural areas	National	December
El Salvador	1995	Multi-purpose household survey	National	Year
	1997	Multi-purpose household survey	National	Year
	1999	Multi-purpose household survey	National	Year
	2001	Multi-purpose household survey	National	July-Dec.
	2004	Multi-purpose household survey	National	Year

Country	Year	Survey	Geographic coverage	Reference period of the survey
Guatemala	1989	National socio-demographic survey	National	April-July
	1998	National family income and expenditure survey	National	Mar. 1998-Mar. 1999
	2002	National survey on employment and income	National	Oct.-Nov.
	2006	National survey on living conditions	National	Mar.-Sept.
Honduras	1990	Permanent multi-purpose household survey	National	September
	1994	Permanent multi-purpose household survey	National	October
	1997	Permanent multi-purpose household survey	National	September
	1999	Permanent multi-purpose household survey	National	September
	2002	Permanent multi-purpose household survey	National	September
	2003	Permanent multi-purpose household survey	National	September
	2006	Permanent multi-purpose household survey	National	September
	2007	Permanent multi-purpose household survey	National	September
Mexico	1989	National household income and expenditure survey	National	3 rd quarter
	1994	National household income and expenditure survey	National	3 rd quarter
	1996	National household income and expenditure survey	National	3 rd quarter
	1998	National household income and expenditure survey	National	3 rd quarter
	2000	National household income and expenditure survey	National	3 rd quarter
	2002	National household income and expenditure survey	National	3 rd quarter
	2004	National household income and expenditure survey	National	3 rd quarter
	2005	National household income and expenditure survey	National	3 rd quarter
	2006	National household income and expenditure survey	National	3 rd quarter
	2008	National household income and expenditure survey	National	3 rd quarter
Nicaragua	1993	National household survey on standard of living	National	Feb.-June
	1997	VI Household survey on urban employment	Urban areas	October
	1998	National household survey on standard of living	National	Apr.-Aug.
	2001	National household survey on standard of living	National	Apr.-July
	2005	National household survey on standard of living	National	Jul.-Oct.
Panama	1991	Household survey	National	August
	1994	Household survey	National	August
	1997	Household survey	National	August
	1999	Household survey	National	August
	2002	Household survey	National	August
	2004	Household survey	National	August
	2005	Household survey	National	August
	2006	Household survey	National	August
	2007	Household survey	National	August
	2008	Household survey	National	August
Paraguay	1990	Household survey (labour force)	Metropolitan area of Asunción	June, July, Aug.
	1994	Household survey (labour force)	Urban areas	Aug.-Sept.
	1996	Household survey (labour force)	Urban areas	Aug.-Dec.
	1999	Permanent household survey	National	Aug.-Dec.

Country	Year	Survey	Geographic coverage	Reference period of the survey
	2001	Comprehensive household survey	National	Sept. 2000-Aug. 2001
	2004	Permanent household survey	National	Aug.-Nov.
	2005	Permanent household survey	National	Oct.-Dec.
	2007	Permanent household survey	National	Oct.-Dec.
	2008	Permanent household survey	National	Oct.-Dec.
Peru	1997	National household survey - living conditions and poverty	National	4 th quarter
	1999	National household survey - living conditions and poverty	National	4 th quarter
	2001	National household survey - living conditions and poverty	National	4 th quarter
	2003	National household survey - living conditions and poverty	National	May 2003-May 2004
	2007	National household survey - living conditions and poverty	National	Jan.-Dec.
	2008	National household survey - living conditions and poverty	National	Jan.-Dec.
Uruguay	1990	Continuous household survey	Urban areas	2 nd half
	1994	Continuous household survey	Urban areas	2 nd half
	1997	Continuous household survey	Urban area	Year
	1999	Continuous household survey	Urban areas	Year
	2002	Continuous household survey	Urban areas	Year
	2004	Continuous household survey	Urban areas	Year
	2005	Continuous household survey	Urban areas	Year
	2007	Continuous household survey	National	Year
	2008	Continuous household survey	National	Year
Venezuela (Bolivarian Republic of)	1990	Household sample survey	National	2 nd half
	1994	Household sample survey	National	2 nd half
	1997	Household sample survey	National	2 nd half
	1999	Household sample survey	National	2 nd half
	2002	Household sample survey	National	2 nd half
	2004	Household sample survey	National	2 nd half
	2005	Household sample survey	National	2 nd half
	2006	Household sample survey	National	2 nd half
	2007	Household sample survey	National	2 nd half
	2008	Household sample survey	National	2 nd half

Source: Economic Commission for Latin America and the Caribbean (ECLAC)

Table 3
**LATIN AMERICA AND THE CARIBBEAN: PERCENTAGE OF ADOLESCENT MOTHERS,
 COUNTRY AND YEAR TOTALS, ACCORDING TO CENSUS DATA**

Country	Year																							
	1984	1985	1986	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	
Argentina	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Bolivia (Plurinational State of)	-	-	-	-	-	-	-	-	12	-	-	-	-	-	-	-	14	-	-	-	-	-	-	-
Brazil	-	-	-	-	-	-	-	12	-	-	-	-	-	-	-	15	-	-	-	-	-	-	-	-
Chile	-	-	-	-	-	-	-	-	12	-	-	-	-	-	-	-	-	-	12	-	-	-	-	-
Colombia	-	-	-	-	-	-	-	-	-	14	-	-	-	-	-	-	-	-	-	-	14	-	-	-
Costa Rica	13	-	-	-	-	-	-	-	-	-	-	-	-	-	-	13	-	-	-	-	-	-	-	-
Dominican Republic	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	17	-	-	-	-	-
Ecuador	-	-	-	-	-	-	14	-	-	-	-	-	-	-	-	-	16	-	-	-	-	-	-	-
El Salvador	-	-	-	-	-	-	-	-	14	-	-	-	-	-	-	-	-	-	-	-	-	-	-	15
Guatemala	-	-	-	-	-	-	-	-	-	-	16	-	-	-	-	-	-	-	16	-	-	-	-	-
Honduras	-	-	-	-	17	-	-	-	-	-	-	-	-	-	-	-	-	18	-	-	-	-	-	-
Mexico	-	-	-	-	-	-	10	-	-	-	-	-	-	-	-	12	-	-	-	-	-	-	-	-
Nicaragua	-	-	-	-	-	-	-	-	-	-	-	24	-	-	-	-	-	-	-	-	-	20	-	-
Panama	-	-	-	-	-	-	16	-	-	-	-	-	-	-	-	-	17	-	-	-	-	-	-	-
Paraguay	-	-	-	-	-	-	-	-	15	-	-	-	-	-	-	-	-	-	12	-	-	-	-	-
Peru	-	-	-	-	-	-	-	-	-	11	-	-	-	-	-	-	-	-	-	-	-	-	-	11
Uruguay	-	8	-	-	-	-	-	-	-	-	-	14	14	-	-	-	-	-	-	-	-	-	-	-
Venezuela (Bolivarian Republic of)	-	-	-	-	-	-	14	-	-	-	-	-	-	-	-	-	15	-	-	-	-	-	-	-
Belize	-	-	-	-	-	-	17	-	-	-	-	-	-	-	-	16	-	-	-	-	-	-	-	-
Trinidad and Tobago	-	-	-	-	-	-	8	-	-	-	-	-	-	-	-	9	-	-	-	-	-	-	-	-

Source: María Marta Santillán Pizarro, Consultancy report, Santiago, Chile, Economic Commission for Latin America and the Caribbean (ECLAC), December 2009, unpublished.

Table 4
**LATIN AMERICA AND THE CARIBBEAN: PERCENTAGE OF ADOLESCENT MOTHERS, COUNTRY AND YEAR TOTALS,
 ACCORDING TO DEMOGRAPHIC AND HEALTH SURVEYS**

Country	Year																							
	1984	1985	1986	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	
Bolivia (Plurinational State of)	-	-	-	-	-	17	-	-	-	-	18	-	-	14	-	-	-	-	16	-	-	-	-	-
Brazil	-	-	13	-	-	-	-	15	-	-	-	-	18	-	-	-	-	-	-	-	-	-	22	-
Colombia	-	-	14	-	-	-	13	-	-	-	-	17	-	-	-	19	-	-	-	-	-	21	-	-
Ecuador	-	-	-	17	-	-	-	-	-	-	18	-	-	-	-	-	-	-	-	-	-	-	-	-
El Salvador	-	27	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Guatemala	-	-	-	23	-	-	-	-	-	-	15	21	-	22	-	-	-	-	-	-	-	-	-	-
Haiti	-	-	-	-	-	-	-	-	-	-	15	-	-	-	-	18	-	-	-	-	-	14	-	-
Honduras	-	-	-	-	-	-	-	-	-	-	-	-	22	-	-	-	-	-	-	-	-	22	-	-
Mexico	-	-	-	18	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Nicaragua	-	-	-	-	-	-	-	-	32	-	-	-	-	27	-	-	25	-	-	-	-	-	25	-
Paraguay	-	-	-	-	-	-	17	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Peru	-	-	13	-	-	-	-	11	-	-	-	-	13	-	13	-	-	-	-	12	-	-	-	21
Dominican Republic	-	-	-	-	-	-	-	18	-	-	-	-	23	-	21	-	-	23	-	-	-	-	-	-
Guyana	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	14	-	-
Jamaica	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	19	-	-	-	-	-
Trinidad and Tobago	-	-	-	14	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-

Source: María Marta Santillán Pizarro, Consultancy report, Santiago, Chile, Economic Commission for Latin America and the Caribbean (ECLAC), December 2009, unpublished.

Annex 4
PROPOSALS FOR A RESEARCH AGENDA

The challenge for redistribution of unpaid work posed in this document may be expressed in terms of the four pivotal issues addressed in chapter IV: Time for work. On the basis of this redistribution, the following proposal for a research agenda is presented.

a) A new equation for a new agreement

This issue refers to a new redistribution of caregiving responsibilities between the basic institutions, that is, the State, the market and the family as well as within families and households. Thus, all categories of users or recipients of care are covered (boys and girls, functionally independent older persons, sick or disabled persons), as are all socio-economic levels and all areas of residence (urban as well as rural areas, which have for the most part not been thoroughly studied in the region, including communities). It is proposed that research be carried out into rural areas (in the case of household surveys the focus is on urban areas), indigenous communities and Afro-descendent populations. The region of Latin America and the Caribbean is diverse and pluricultural. Ethnic, regional, cultural and territorial differences have direct and distinct implications for equality. The issue of indigenous and Afro-descendent women should be the subject of specific studies and efforts should be increased so that the national statistics that are collected are disaggregated by ethnicity and race, where relevant.

Issues to be explored:

- Measuring the time devoted to caregiving as a component of unpaid work in the home, estimating its monetary value and incorporating it into national accounts:
 - (i) a total measurement designed to highlight the issue and provide a baseline figure;
 - (ii) from the viewpoint of households, measurement of the extent of unpaid work, especially the work of caregiving in relation to the size, composition and care requirements of the household and on the basis of the availability of labour-saving household devices and modalities for access to basic services.
- Provision of care services by the State, the market and the family:
 - (i) diagnosis relating to care services provided by public institutions including communities and on financing models and sustainability mechanisms (at the micro and macro level) underlying the provision of care services;
 - (ii) the models of organization of caregiving in the household, strategies and arrangements worked out within the household or between the household

- and other male or female caregivers from the paid domestic work market, kinship-based networks, social networks, companies, public institutions, or community or non-profit groups;
- (iii) the analysis of decision making within the household in terms of allocating time for unpaid work, especially time allocated for caregiving;
- (iv) the implications of crises or shocks (disasters, death, unemployment) which have an impact on the household economy in terms of the burden and tasks of unpaid work, especially care work, and the redistribution of such burdens and tasks after the shock.
- Care requirements and demands:
 - (i) description and general quantification of the needs of and demand for care in each country, including care for children, sick persons or persons with a disability, and care within the home for functionally independent older persons; and the need, especially for caregivers, to look after their own health;
 - (ii) description and quantification of the restrictions to access to basic services and household appliances which have an impact on the content (tasks) and duration (time) of caregiving;¹
 - (iii) study of care needs on the basis of the type of labour integration of men and women. The description and quantification of these needs implies taking into account the workplace of the employed person, that is, the place where the tasks associated with employment² are carried out.
- Care, cross-border trends in social reproduction and economies and remittances. With workers of both sexes taking part in migratory flows, a process of transnationalization of social reproduction has occurred with the formation of transnational households that receive remittances and with the formation of global care chains. In this respect, various issues should be addressed, especially in order to elucidate the specific characteristics of the Caribbean countries, where workers' remittances account for between 10% and 20% or more of GDP.
 - (i) caregiving in transnational households: arrangements depending on the sex of the migrant or provider, integration of women into

¹ In the developed countries, the reduction in the time spent on unpaid work by women and, in the case of France, the reduction in the gap between men and women, are due in large part to the increase in productivity generated by the technological revolution in the home.

² This place is not necessarily the place where the company's economic activities are carried out.

- the labour market and use of remittances;
- (ii) economic theory of remittances and the gender perspective (from microeconomics to the circular flow of higher income);
- (iii) global care chains.

The necessary instruments:

Time-use surveys: These are the primary instrument for addressing not just the time that household members allocate to paid and unpaid work, depending on their status within this structure and the period of the life cycle, but also the time devoted to tasks and the way these are distributed, and the direct caregiver time received by beneficiaries. Harmonizing time-use surveys should also be promoted.

Mixed household surveys: Mixed household surveys are needed in both home and destination countries to address the issue of transnationalization of social reproduction.

(b) Policies on equality, labour and social-protection policies

Consideration should be given to the establishment of policies on equality which seek recognition for unpaid care work and redistribution of unpaid work responsibilities and tasks - hence of the time devoted to this type of work. Bearing in mind that care as a public-policy area is linked to education and health policies, labour policies in the broad sense of the term,³ and social-protection policies (insurance and social welfare), three main issues come to the fore:

- redistribution of caregiving between the State, the market and the family or community;
- reconciling care with paid work: How is this issue taken into account in the design and implementation of policies and how do such policies affect the linkages between care and paid work for men and women at the household level?
- the coherence between the different types of policies in terms of the objective of redistributing care work.

Issues to be explored:

- Labour policies (employment programmes, programmes of access to productive resources), generation of labour income and distribution of time.
- Policies for increasing the formal and real rights of domestic workers, changes in the paid domestic labour market and adjustments within the home.
- Policies for reconciliation: conditions, nature (equality or maternalism) and scope:
 - (i) reconciliation policies, in State bodies, in all branches and at all levels. This may serve

to situate machineries within the national hierarchy and rally support from secondary mechanisms;

- (ii) policies carried out by companies with wage earners from a comparative perspective between leading (national and transnational) corporations and small and medium-sized enterprises (SMEs).
- (iii) proposals for reconciling paid and unpaid work for both male and female own-account workers in terms of labour policies aimed at boosting microenterprises.

In relation to social protection:

- Recognition of unpaid care work, the social-protection needs of caregivers and social-protections mechanisms that target them.
- The impact of social-protection mechanisms (insurance and welfare) with respect to women's entry into the labour market and men's participation in caregiving tasks. In particular, the impact of conditional transfer programmes on the burden of women's caregiving work on the basis of the arrangements and costs of providing care should be analysed.
- Intergenerational reproduction of poverty and careers of the sons and daughters of households that have benefited from conditional transfer programmes.

(c) Empowering women to exercise their right to equality

The issue at stake here is the interrelationship between economic, political and physical autonomy of women from the perspective of political, economic and cultural changes with a look at the medium and long term and the change from one generation to the next. Several agreements have been adopted by countries in the region to encourage a cultural change, especially with regard to education. The Quito Consensus addresses the need to "develop comprehensive, non-sexist public education programmes designed to counter gender and racial stereotypes and other cultural biases against women and promote relationships of mutual support between women and men".

Issues to be explored:

- What type of socialization can be put into practice in order to achieve gender equality? Breaking cultural patterns or the resistance to gender inequality in general and to redistribution of work, in particular, requires a medium- and long-term perspective bearing in mind that changes in cultural mindsets occur over long historical timeframes. Policy proposals must be put forward on educational experiences for the practice of non-discrimination and the distribution of public and private roles on

³ Labour policies in the broad sense of the terms are those that cover all forms of work: wage and non-wage work (including own-account work).

an egalitarian basis, bearing in mind that the family and the household belong to the private sphere and educational policies to the public sphere.

- Studying the relationship between the physical autonomy of women (risk of gender-based violence and infringement of sexual and reproductive rights) in situations of population displacement, particularly as it relates to the work of caregiving and the need for women to rebuild the social fabric following natural disasters. Such displacements may be due to natural disasters, migration or trafficking in persons.
- Information and a comparative analysis of the impact of gender-based violence on the economic autonomy of women.
- The economic and social impact of restrictions on the exercise of sexual and reproductive rights, bearing in mind differences in age and in socio-economic, cultural and territorial features.
- Advances and national examples of best practices for the production of information on violence against women and their use in comprehensive and intersectoral policies.
- Enhancing the production of indicators of access to decision-making in high-ranking, non-elective Government positions and their use for analysis and for policymaking purposes.
- Monitoring advances and canvassing views on parity among women and men in political and institutional life and observing their practices.

(d) Institutional framework

The institutional issue is approached in terms of the set of institutions and organizations to be built, strengthened and improved from the gender perspective and especially from the perspective of the redistribution of total work.

Issues to be explored:

- Action by State authorities to promote the effective exercise of formally recognized rights in the new constitutions and constitutional advances, with emphasis on the recognition and redistribution of the work of caregiving carried out in households.
- Experiences with mainstreaming gender equality in priority policies in different countries that are important for the different spheres of women's autonomy. How can gender mainstreaming be

implemented with respect to care as an area for public policymaking?

- From the point of view of the whole issue of care as a “developing” public-policy area, it is proposed that a budgetary and fiscal analysis be made of the linkages between the different types of policy, together with a territorial analysis of these linkages.
- The national machineries for the advancement of women and their leadership in working out policies for equality aimed at indigenous, Afro-descendent and rural women as well as at the population of young people and older men and women.
- Local sphere, local authorities and redistribution of care work.
- The role of non-State actors, such as business associations, associations of entrepreneurs and employers, trade unions, organizations, women's associations, among others, and the way they interact with national machineries for the advancement of women and with each other at the initiative of the latter.

(e) Climate change and the environment

The negative repercussions of climate change have a severe impact on women, especially rural and indigenous women, who have been the focus of very few studies in the region. Environmental phenomena, such as earthquakes, tsunamis, hurricanes, desertification, thawing and its impact on the fresh water supply, and indiscriminate deforestation of wooded areas, all have a direct effect on populations, especially women, who must, as a result, add to their already heavy burden of paid and unpaid work.

The link, and at the same time the gap, between paid and unpaid work in the areas of production and reproduction places women at a disadvantage in the face of natural disasters and ecological attacks, which have exposed their defencelessness and poverty, adding to the psychological burden of guilt and frustration. In general, environmental disasters are linked closely to social problems.

It is therefore proposed that a line of investigation should be pursued, in accordance with the Beijing Platform for Action, to consider the relationship between women and the environment. The repercussions of environmental damage and climate change on men and women are by no means the same and, similarly, consequences of natural disasters are different for men and women.

Annex 5
DRAFT BRASILIA CONSENSUS

The Governments of the countries participating in the eleventh session of the Regional Conference on Women in Latin America and the Caribbean, represented by ministers or officials of institutions of the highest level devoted to promoting and defending women's rights, gathered in Brasilia from 13 to 16 July 2010 to discuss achievements and challenges relating to gender equality with a focus on women's autonomy and economic empowerment,

Reaffirming our commitment to the full and effective implementation of international treaties on women (the Convention on the Elimination of All Forms of Discrimination against Women and the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women), the International Labour Organization conventions on equality, which were ratified by the countries, the Platform for Action of the Fourth World Conference on Women (Beijing, 1995), the Programme of Action of the International Conference on Population and Development (1994), the Programme of Action of the World Summit for Social Development (Copenhagen, 1995), the Programme of Action of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance (Durban, 2001), the Rome Statute of the International Criminal Court (1998), the United Nations Millennium Declaration of the General Assembly (New York, 2000) and the United Nations Declaration on the Rights of Indigenous Peoples (United Nations Human Rights Council, 2006),

Reaffirming also our commitment to the full and effective implementation of the regional consensus adopted at previous sessions of the Regional Conference on Women in Latin America and the Caribbean, particularly the Quito Consensus (2007), the Mexico City Consensus (2004) and the Lima Consensus (2000),

Bearing in mind that the Region has joined the United Nations Secretary-General's Campaign "Unite to End Violence against Women",

Bearing in mind also the need to redouble efforts in order to fulfil internationally agreed development goals, including those established further to the United Nations Millennium Declaration of the General Assembly (New York, 2000),

Recognizing that over the 15 years since implementation of the Platform for Action of the Fourth World Conference on Women (Beijing, 1995) countries have made significant strides in particular as regards women's access to education, the adoption of egalitarian legal frameworks for building and strengthening machineries for the advancement of women, albeit sometimes unevenly in the region, the design of plans and programmes for gender equality that place emphasis

on the social sector, the definition and implementation of national equal opportunity plans, the adoption of legislation to punish gender-based violence and guarantee the human rights of women, the growing presence of women in decision-making positions and action taken to fight poverty,

Highlighting the active, coordinated contribution made by branches of government, multilateral organizations and civil society through feminist and women's movements,

Recognizing that the secular character of States contributes to the elimination of discrimination against women and helps to ensure the full exercise of their human rights,

Reaffirming that parity is a key condition for democracy as well as a goal for eradicating the structural exclusion of women in society and is aimed at achieving equality in the exercise of power, in decision-making, in mechanisms for participation and social and political representation and in family, social, economic, political and cultural relationships,

Considering that unpaid domestic work is a burden that falls disproportionately on women and is, in practice, an invisible tax that hinders their access to the labour market on an equitable basis,

Considering also that one feature of the demographic transition taking place in the countries of the region is the ageing of the population, which overburdens women with the task of caring for older persons and for the sick,

Recognizing that access to justice is essential in order to safeguard the indivisible and comprehensive nature of human rights, including the right to care,

Drawing attention to the fact that the right to care is universal and requires consistent action for its effective enforcement,

Highlighting the significant contribution that women in all their diversity make to the productive and reproductive dimensions of the economy, to the development of multiple strategies for dealing with poverty and preserving knowledge, including scientific knowledge, and practices that are fundamental for survival and for sustaining life, especially for health and for food and nutrition security,

Considering that progress is uneven and that challenges to gender equality persist and require constant State investments and policies on issues such as the sexual division of labour, unpaid domestic work, the elimination of discrimination in the labour market and social protection for women, the persistence of violence against women, political parity and access to high-quality universal, public education and health-care services, including sexual and reproductive health,

Considering also other challenges such as the relationship of women with the environment as regards access to water, natural resources and food, or the media in the context of current conflicts between governments and the media, and women's limited access to the latter, and their access to new information technologies; and that the benefits women gain from progress in these areas varies depending on such factors as position in the social structure, race or ethnicity, sexual orientation, age, residence in urban or rural areas or having a disability. This requires the implementation of affirmative action policies that, together with universal policies, reaffirm women's status as social and political actors,

Bearing in mind that food, energy, and financial crises threaten the sustainability of women's achievements and underscore the urgent need for more rapid progress in the area of gender equality,

Recognizing that, despite the measures taken to predict, prevent or minimize their causes and mitigate their adverse consequences, climate change and natural disasters can have a negative impact on productive development, time use by women, especially in rural areas, and their access to employment,

Reaffirming the need to overcome the tendency to link equality policies exclusively to social issues,

Stressing the importance of and need for broad, inclusive, redistributive, solidary and strengthened social security systems that work as social protection mechanisms for vulnerable populations, promote social justice and help reduce inequalities,

Reaffirming that the social, political, cultural and economic patterns underlying the sexual division of labour must be changed without delay and that the key to this is a new equation between the State, the market and families in which unpaid domestic work and caregiving are construed and treated as public matters and a responsibility to be shared among all these spheres,

Emphasizing that economic autonomy for women is born out of the interrelationship between economic independence, sexual and reproductive rights, a life free from violence, and political parity,

Recognizing the importance of strengthening State structures and the strategic role played by machineries for the advancement of women, as well as the need to give these machineries autonomy and the necessary human and financial resources to enable them to have a cross-cutting impact on the structure of the State in order to build strategies for promoting women's autonomy and gender equality,

Decide to adopt the following strategies for addressing the challenges to the promotion of women's autonomy and gender equality:

1. Attain greater economic autonomy and equality in the workplace

- (a) *To adopt* all the social and fiscal policy measures required to advance toward the redistribution of total working time and towards economic recognition of women's contribution to the economy;
- (b) *To foster* the development and strengthening of universal care policies and services based on the recognition of the right to care for all and on the notion of sharing the provision of care between the State, the private sector, civil society and households, as well as between men and women, and of strengthening dialogue and coordination between all stakeholders;
- (c) *To adopt* policies conducive to establishing or broadening parental and paternity leave and other childcare leave in order to help distribute care duties between men and women;
- (d) *To encourage* the establishment, in national accounts, of a satellite account for unpaid domestic work or caregiving performed by women;
- (e) *To develop* active labour market and productive employment policies to boost the female participation rate, the formalization of employment and women's occupation of positions of power and decision-making, as well as to reduce unemployment rates, especially for Afro-descendent, indigenous and young women, in order to ensure decent work for all women and guarantee equal pay for equal work;
- (f) *To promote* legislation that eliminates gender asymmetries in access to jobs, in decision-making and in the distribution of wages, and establishes sanctions for sexual and moral harassment in the workplace;
- (g) *To promote and encourage* the adoption of legislation that extends to female domestic workers the same rights as those of other workers and establishes regulations to protect them;
- (h) *To promote* the ratification of Convention 156 of the International Labour Organization;
- (i) *To ensure* equal pay for equal work between men and women and among women themselves, in conformity with the international conventions that have been ratified, particularly Convention 100 of the International Labour Organization, and with international standards relating to women's rights;
- (j) *To promote* professional training activities and access to technology for all women, in both rural and urban areas, with a view to achieving fuller and more diverse and skilled participation by women in the labour market while taking into consideration the constraints still imposed by the double working day;
- (k) *To ensure* access by women to productive assets including access to productive credit in both urban and rural areas;
- (l) *To promote* the valuation and recognition of women's economic contribution in rural areas and in traditional and indigenous communities and in Afro-descendent communities or minority groups;
- (m) *To promote also* the economic and financial autonomy of women by means of technical assistance, by

fostering entrepreneurship, associations and co-operatives, and especially by building networks of women in the solidarity economy;

- (n) *To encourage* the adoption of gender equity management systems in the public and private sectors to promote non-discrimination in employment and the prevention and elimination of all forms of gender violence in the workplace, especially sexual and moral harassment.

2. Enhance the citizenship of women

- (a) *To promote and strengthen* States that ensure respect for and the protection and enforcement of the human rights of women as the substantive foundation for democratic processes;
- (b) *To ensure* respect for freedom of religion and worship, providing that women's human rights are not violated;
- (c) *To promote* gender mainstreaming in all policies, especially in economic policy, and coordination between branches of government and social stakeholders to ensure gender equality;
- (d) *To increase* the proportion of public spending allocated for basic social security so as to comprehensively address situations of vulnerability associated with childhood, old age, ill health, disability, unemployment and other life crises that women face;
- (e) *To strengthen* actions geared towards redressing the lack of statistical information needed to raise the profile of gender equality issues in the spheres of physical and economic autonomy and decision-making;
- (f) *To redistribute* wealth, adopting gender equality measures relating to tax policy, agrarian reform, access to land tenure, housing and other productive resources;
- (g) *To make progress* in the adoption of measures to improve the situation of migrant women in the labour markets and to promote the conduct of studies on how the economic, financial, food, energy and environmental crisis affects women and, in particular, internal and international migratory flows and the reconfiguration of production spheres, especially agriculture;
- (h) *To develop* policies that favour the settlement of rural women and rural employment in areas undergoing productive restructuring and to ensure that mechanisms needed to implement them are in place;
- (i) *To address* the specific constraints faced by women in accessing formal financial services, including savings, credit, insurance, and money-transfer services;
- (j) *To ensure* access by women to land and housing provided under government housing programmes, with title deeds in their own name or with a joint title;
- (k) *To promote* the reformulation of national social security systems in order to extend their coverage

to male and female workers in the informal market, rural family workers, the self-employed, same-sex couples and persons engaged in caregiving activities;

- (l) *To implement* systems of environmental risk management with a gender focus for addressing the consequences of natural disasters and the differential impacts that such disasters and climate change have on women, focusing especially on the food and water supply, on sexual and reproductive health and on overcoming obstacles to women's rapid integration or reintegration in the formal employment sector, due to their role in the social reconstruction process.

3. Broaden the participation of women in decision-making and the exercise of power

- (a) *To increase and enhance* opportunities for the real participation of women in making and implementing policies in all spheres of public authority;
- (b) *To adopt* all necessary measures, including amending legislation and adopting affirmative policies, to ensure parity in the three branches of government, in special and autonomous regimes, at the national and local level and in private institutions, in order to reinforce the democracies of Latin America and the Caribbean from an ethnic and racial point of view;
- (c) *To create* mechanisms to support women's political partisanship and participation which also ensure parity in electoral lists, equal access to campaign financing and electoral propaganda, and participation of women in decision-making within party structures;
- (d) *To promote* measures to strengthen women's unionization and access to decision-making, in both urban and rural areas, in order to further progress towards equal opportunities and equal treatment for men and women in the workplace;
- (e) *To stimulate* the creation and strengthening of government machineries for policies on women at the national and subnational level, ensuring that they have the necessary resources and high status in the government hierarchy, and ministerial status in the case of national agencies.

4. Address all forms of violence against women

- (a) *To adopt* preventive and punitive measures as well as measures for protecting and caring for women that further the eradication of all forms of violence against women in public and private spheres, with special attention to Afro-descendent, indigenous, lesbian and transgender women, and women living in rural and forest areas;
- (b) *To broaden and guarantee* access to justice and free legal assistance for women in violent situations;

- (c) *To take* all appropriate measures to eliminate all forms of trafficking and prostitution of women and girls;
- (d) *To formulate and apply* measures for combating violence against women who are engaged in prostitution or against sex workers;
- (e) *To promote* the human rights of women prisoners;
- (f) *To mainstream* into public safety policies specific measures for preventing, investigating, sanctioning and eliminating femicide, understood as the most extreme form of gender violence against women;
- (g) *To promote* policies and programmes for aggressors on the prevention of violence against women.

5. Facilitate women's access to new technologies and promote egalitarian, democratic and non-discriminatory practices by the media

- (a) *To promote* actions that foster women's access to communications and new information technologies, including education and training in the use of such technologies for networking, advocacy, the exchange of information and the increase of business opportunities and education activities;
- (b) *To develop* policies for training communication professionals in the production of non-discriminatory and non-stereotypical contents in the media, valuing the dimensions of gender, race, ethnicity, sexual orientation and generation;
- (c) *To build* mechanisms for monitoring, popular participation in and social control of radio and television broadcasters and for regulating the Internet, ensuring the active, ongoing participation of society in monitoring broadcast content.

6. Promote the conditions for the integral health of women and for their sexual and reproductive rights

- (a) *To guarantee* women's sexual and reproductive rights throughout their lives and across population groups, with no discrimination whatsoever;
- (b) *To promote* universal access by women to integral care for sexually transmitted diseases and human immuno-deficiency virus/acquired immunodeficiency syndrome (HIV/AIDS), ensuring

- the extension of coverage and access to preventive supplies, diagnosis, quality health care, free universal treatment, and information and education about sexually transmitted diseases and HIV/AIDS;
- (c) *To implement* education programmes, endowing them with the necessary resources, for the prevention of unwanted pregnancies, particularly among adolescents;
- (d) *To review* laws that punish women who have undergone abortions, as recommended by the Platform for Action of the Fourth World Conference on Women, including the further initiatives and actions identified for the implementation of the Beijing Declaration and Platform for Action, as well as the Programme of Action of the International Conference on Population and Development and the general observations of the Committee against Torture of the United Nations, and ensure that abortions are performed safely where authorized by the law;
- (e) *To foster* the regulation of enacted legislation relating to gender equality, including laws relating to physical autonomy in order to achieve the full exercise of sexual and reproductive rights, and guarantee their enforcement and the allocation of the requisite human and financial resources and control mechanisms.

7. Carry out training and activities for exchanging and disseminating experiences with a view to the formulation of public policies based on the data collected by the Gender Equality Observatory for Latin America and the Caribbean

- (a) *To request* the Economic Commission for Latin America and the Caribbean to carry out training and capacity-building activities for exchanging and disseminating experiences, including those with a political impact, aimed at public policymakers and political operators. These activities would be aimed at compiling the practices employed in the countries and making progress in formulating public policies using the data of the Gender Equality Observatory for Latin America and the Caribbean, and providing a general source of know-how and a complement to the Observatory.

